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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BUERKLE).

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.
*July 12, 2011.*

I hereby appoint the Honorable ANN MARIE BUERKLE to act as Speaker pro tempore on this day.

JOHN BOEHNER,
*Speaker of the House of Representatives.*

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

## OBAMAISM HAS MADE AMERICA WORSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Madam Speaker, we are worse off now than we were in 2008. The country is suffering through an economic recession with more long-term unemployment than during the Great Depression.

The economy was in bad shape, but this administration has made it worse. The unconstitutional government takeover of health care created a cloud of uncertainty for small business owners, stalling job growth. Our health care system was in trouble before, but this administration has made it worse.

Our country is spiraling toward a domestic energy crisis thanks to the administration's insistence on punishing U.S. oil companies. The price of energy was high before, but this administration makes it worse. Americans are becoming used to living with the word "crisis." Under Obamaism, crisis has become the new status quo.

The President admits we're on a bumpy road. But, Mr. President, this road is full of potholes. The national debt is expected to equal 101 percent of the economy in 10 years. Unemployment is around 9.2 percent. Home sales have declined. The number of food stamp recipients has skyrocketed.

Over the past 3 years, we have witnessed an administration set on entitling people and paying them not to work as opposed to helping businesses hire people to work. We are worse off now than we were before the President stepped foot on 1600 Pennsylvania Avenue.

We are stuck in this hole because White House policies have been toxic to this country's job creators. Businesses do not operate like the government does. They don't function under short-term budgets. They don't plan for the next 6 days or 6 months, like our government does. Business owners want a plan. They want to know what will happen next.

Under this cloud of uncertainty, businesses face ObamaCare's employer mandate and an onslaught of costly government relations. This leaves them with few choices: hold tight and wait it out, comply with government oppression and suffer, or shut down and move overseas.

Coming up on this bumpy road is a domestic energy shortage. The White House seeks to punish the energy of today and tomorrow in favor of potential energy after our lifetimes. An energy agenda that is synonymous with stall, obstruct, discourage, and penalize will only devastate the economy further and force more businesses and jobs to go away.

We've seen the administration slow-walk the approval process for offshore drilling permits despite lifting the moratorium. The delays have been costly, so costly that rigs have left the Gulf of Mexico never to return, and those jobs will not return either.

The coming domestic energy shortage will be partly due to the White House's desire to help foreign nations with their domestic energy instead of maximizing our own God-given natural resources. When the President told Brazil that America would help expand its offshore drilling operations and be one of its best customers, he sent a clear message: He doesn't support U.S. oil, U.S. companies, or U.S. workers. Each day that passes without a decision on the Keystone XL pipeline, a pipeline that will transport oil shale from our stable neighbor to the north right down to my congressional district in Texas, is another day that the White House pivots on U.S. energy jobs. Meanwhile, China is eager and ready to be Canada's customer if we snub Canada on the pipeline.

The White House has a none-from-below mentality. We need an all-of-the-above strategy that encourages use of our natural resources and puts Americans back to work. The administration has mastered the art of turning a crisis into an opportunity to shove unpopular policies through.

Over a year after the Deepwater Horizon explosion, the administration has come as close as it can to shutting down operations in the Gulf. The impact, 12,000 jobs have been lost.

Are we better off today than we were in 2008? No. Our economy is still in a crisis of uncertainty.

The answers under Obamaism are to increase government control over our

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

lives and raise taxes on people who pay taxes. This plan is an attack on freedom. More government spending and control is the problem, not the solution. As Senator RUBIO has said, instead of raising taxes, we should have more taxpayers. More new taxpayers under the concept of developing more businesses, more jobs also yield more taxpayers. This will create revenue.

The White House has operated under crisis management. The doctrine of Obamaism with its expansion of the government has made America worse. It is time for new hope, new change, and a new American day.

And that's just the way it is.

## CHRONIC UNEMPLOYMENT IS BIGGEST AMERICAN PROBLEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Madam Speaker, we are in the 10th year of the Bush tax cuts and the third year of the Obama tax cuts. Taxes today are at the lowest percentage of our national economy since 1950; and, of course, that preexists a few things like Medicare, homeland security, massive spending on wars overseas, et cetera.

Yet last Friday, with this very, very light tax burden, we had the official unemployment numbers. They were horrible. But guess what. The reality is worse than the numbers. There are about 20 million people, not 16 million people, unemployed, looking for work, or underemployed. So I guess all we need to do is cut taxes more and cut spending and we will have an economic boom. Yes, we will have a boom, like the boom of an imploding economy. Just like the last 10 years, the worst job creation since the Great Depression under this theory that tax cuts solve every problem.

Now the President's response on Friday was, not surprisingly, continue tax cuts. The new one he has adopted is the Social Security tax holiday. But don't worry, we will make Social Security whole. If we cut their income, we've got to make the trust fund whole. We'll borrow $110 billion from China. We'll put it into the Social Security trust fund and everybody will get $15 or $20 a week, and that'll solve the problems of this economy. Of course, it doesn't do much for the people who aren't working, and it's not going to create jobs. That's his big solution.

Number two solution: more job-killing free trade agreements. Oh, that's great.

Patent reform. Yeah, maybe some day.

And then at the very end, oh, we should have a little bitty infrastructure bank. Okay. Great.

Now, the Republicans on Thursday, they preceded all this and one-upped him. They proposed that the United States of America, with crumbling highways, falling-down bridges, and obsolete transit systems, cut investment in infrastructure by 35 percent. So the construction industry that has today 16 percent unemployment, under the Republican plan, 25 percent unemployment. That's great. That's going to work, too. Oh, yes, and more tax cuts.

You know, we lack the will around here to address our Nation's greatest problems, not the means. Chronic unemployment is the greatest problem in this country. If we solve chronic unemployment, a quarter of the deficit goes away because those people aren't collecting unemployment benefits, food stamps and other things they need just to survive, and they are working and paying taxes.

Now, how about canceling some of these stupid tax cuts, particularly the Social Security tax holiday? Let's not borrow $110 billion from China for people to dribble way in $20-a-week payments. Let's take that $110 billion and build things in America with American workers and buy American requirements.

□ 1010

We could put 4 million or 5 million people to work. Let's cancel the tax cuts for people earning over $200,000 a year—the job creators—who are pretty undertaxed right now and who have record savings and wealth. If they contributed a little bit, that would be about another 1 million jobs if we put that $23 billion a year into investments in infrastructure. These aren't just construction jobs. They're engineering jobs; they're manufacturing jobs; they're small business suppliers. We need an investment-driven recovery. For too long, we've been trying under both Bush and under Obama to have a borrowed money, consumption-driven recovery.

Ain't going to work. Not good long term.

Instead of indebting our kids and giving them nothing but current consumption, let's have something that's investment-driven that will provide benefits for generations to come with a 21st century infrastructure for this country.

## H.R. 1861: INFRASTRUCTURE JOBS AND ENERGY INDEPENDENCE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Madam Speaker, while deliberations continue on dealing with our $14.3 trillion debt and while deliberations continue on raising the debt ceiling, Americans are very concerned about where we're going.

June unemployment at 9.2 percent and a growth of only 18,000 jobs translates into a meager 360 jobs per State. Now, when you look at how many high school students graduated in June, that's 3.7 million. Colleges graduated 1.7 million. Those 360 jobs barely equal the size of a typical large American high school graduating class, and certainly barely covers students at one typical college per State with a typical major. No wonder Americans are worried about our economy when so many youth are entering the job market only to find there are no jobs.

So while our leaders on both sides of the aisle are deliberating—and, unfortunately, too much of this immediately becomes a battle of words—let's keep in mind that one way to balance America's budget, one very important way to deal with America's debt, is to grow jobs. For each 1 percent decline in unemployment, it's $90 billion per year in Federal revenue. That's a decrease in unemployment compensation. That's an increase in Federal revenues. That's 1.5 million jobs for every 1 percent decline in unemployment.

Let me quote our colleague from across the building here, Senator RUBIO, who said: This is not about increasing taxes; it's about increasing taxpayers. And this could do it.

Now, the cost per job in the failed stimulus bill was at least $278,000 based upon $660 billion spent. Of course, that number per job increases dramatically and rapidly if you include the interest paid on that stimulus bill, which takes us over the $1 trillion mark. That sort of approach is not going to work, and if we open our eyes, we can all honestly admit that. Increasing unemployment is not going to decrease the Federal debt or deficit. We have to grow our way out of this.

Now, a bill that I've introduced and that several colleagues in a bipartisan way have signed onto as cosponsors—and I ask my colleagues to join on as cosponsors—is H.R. 1861. This bill would allow us to say, instead of sending $129 billion a year to OPEC for foreign aid, to buy their oil, we drill for and we use our own. It would yield somewhere between $2.2 trillion and $3.7 trillion over a 30-year period in Federal revenues, not from raising taxes, but from using the standard royalties and lease agreements that come from this. It starts out as a crawl and increases to a walk and then into a run as this money comes through.

What we do in this bill is about growth in America. It isn't just talking about it. It's putting our money where our jobs are because it leads to 1.2 million jobs annually based upon estimates of the American Energy Alliance. That's jobs making steel, making steel pipes, wire, software, technology. It's jobs for the roughnecks. It's the steelworkers, the electricians and the laborers who work on these rigs. It's jobs for those who take this oil and convert it into gasoline, and it's jobs for those who have to put together all the infrastructure to make that happen.

Beyond that, what we do is we dedicate these funds into the infrastructure which America needs. According to the American Society for Civil Engineers, we need over $2 trillion to deal with our current infrastructure needs. Many

States find that 25 percent of their roads and bridges are structurally deficient, which is unsafe; but for every $1 billion we spend on our infrastructure, it yields 38,000 jobs. Those jobs are for operating engineers and laborers and carpenters or electricians and engineers and for those who make concrete and steel and all the things that go with what we need for our roads, our highways, our bridges, our locks, our dams, our water and sewer systems.

Let's grow our way back to prosperity. Let's stop saying we're going to send money to OPEC and watch them grow. Let's stop just pointing fingers and blaming and complaining about China. We have the tools here in America to make this happen. So, while our leaders are over at the White House, arguing about how to take care of the debt, let's not forget that, overall, Americans are saying that one way to grow out of this debt is to grow more jobs, to grow more taxpayers, not just to find ways of taxing them. We can do this.

Again, I ask my colleagues to join me in supporting H.R. 1861, where we can do this. Let's not talk about jobs, and let's not complain about it. Americans know when the wool is being pulled over their eyes, and Americans know when they're working. Let's truly help them out and get jobs back on the table.

## FIGHTING FOR PEACE EVERY DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, in April of the year 2004, my staff came to me with a memo, asking if I wanted to give a Special Order speech on some issue of which I can't remember the subject. My answer at that time was, no, I didn't want to speak on that issue, but I did want to deliver a 5-minute speech that day and every day thereafter, when it was possible, to express my opposition to the wars in Iraq and Afghanistan and to express my belief that there is a smarter way to achieve our national security goals.

So, Madam Speaker, since that day, I've stood here in this spot to say over and over again that these wars are eroding our spiritual core, bankrupting us morally and fiscally, teaching our children that warfare is the new normal. I have delivered these speeches as a member of the majority and the minority, when the President was a member of my party and when he was not, and today, I am doing it for the 400th time.

When I began, the war in Iraq was still quite popular, as was the President who launched it, but we spoke out anyway, refusing to bend on principle because we knew that we did not belong there. My colleagues Representative BARBARA LEE and Representative MAXINE WATERS and I called ourselves the ''Triad.'' We started the Out of Iraq Caucus, and we forced the first House vote to bring our troops home. Along the way, I visited Iraq, and my opinion was confirmed against that very war, but at the same time, it increased my admiration for our troops. Gradually, the tide of public opinion turned. President Bush lost the confidence of the American people, and eventually had to start winding down the war. I don't believe that would have happened unless a few lonely voices had dared to be heard in those early, early days.

I am proud of what we have accomplished, but I am also very frustrated because nearly a decade after the first American boots hit the ground in Afghanistan, here we are—still at war, still occupying sovereign countries on missions that aren't making us safer or advancing our interests. The cost has been devastating. Over 6,100 Americans are dead, and thousands more civilians have died for the cause of their so-called ''liberation.'' Thousands of U.S. servicemembers have come home but may never be the same, either because of physical wounds or mental health trauma, which can, with the physical and the mental health, destroy lives just as well.

In addition to the staggering $3.2 trillion price tag that has piled up over the last 10 years, I don't think we've even begun to come to grips with the resources that the VA will need for the next 50 or so years to meet the responsibility we have to our veterans as a result of these wars.

Madam Speaker, I've said it over and over again that I'm not suggesting we abandon the people of Afghanistan and Iraq. Anti-war doesn't mean anti-engagement or anti-security. The underlying principle behind my 400 speeches has been that we need a completely different approach to protecting America—one that emphasizes diplomacy, reconciliation and peaceful conflict resolution.

□ 1020

From the beginning, I have been pushing my own solution called SMART Security, fighting terrorism with better intelligence, with a stronger nuclear nonproliferation program, with humanitarian and economic aid that will give hope to people around the world, with less spending on weapon systems and more on homeland security, human rights monitoring, and energy independence.

Most importantly, SMART Security insists that war is an absolute last resort because, Madam Speaker, for the sake of the future of the human race, we must and we can figure out a way to resolve our differences without resorting to war and violence. I will continue to do this for the remaining 1½ years that I will be in Congress, giving as many of these speeches as I can. And Madam Speaker, I will not rest until we finally bring our troops home and we adopt the SMART Security approach to preventing war and preserving peace so that my grandchildren and your grandchildren and their grandchildren will have a peaceful, productive world to live in in the future.

## LET'S GET SERIOUS ABOUT THE DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. LANDRY) for 5 minutes.

Mr. LANDRY. Madam Speaker, let me help this body interpret how the American people see this debt crisis. Now some of you may question how I can, with this accent, provide an interpretation. Well, let me show you.

Americans have a keen understanding of how credit cards work. They know that each card holds a limit on it, and this limit is the borrowing limit on that particular card. And it is a fact that when one reaches the limit on his or her card, that they are unable to borrow more money or charge more at that time.

Now it is not factual to say, however, that when one maxes out his credit card, that he is in default personally, or in layman's terms, that he is bankrupt. No. When one reaches his limit, you simply cannot use the card anymore. If you want to continue to use the card, you need to pay down on the principal amount that is owed.

If and when you reach this unfortunate circumstance, you and your family are required to live within your means. As long as you can continue to pay the interest on the card and the bills that you have accrued, then you are not in jeopardy of defaulting. Of course you can only do this if you're employed and you have income, unlike the approximately 9.2 percent of Americans out there who are looking for us to do everything we can to help create private sector jobs.

So this is where we are. Look, I don't believe if we fail to raise the debt ceiling that we will default. What I do believe is not raising the debt ceiling will finally require Congress to make the tough decisions necessary to restore fiscal sanity to our Federal Government. It will force Congress to understand that at this time we need to live within our means. Why? Because going back to our layman's term, if the Federal Government was a person, that person is not unemployed, they still have a job, unlike the approximately 9.2 percent of Americans I spoke earlier about. So if we still have a job, that means we're still getting a paycheck. That paycheck is currently sufficient to pay our bills.

After 2 years, where the President and previous Congresses spent like they were going out of style, the President is starting to understand that we have spent too much. What he hasn't realized yet—and I hope he does—is that we don't have a revenue problem here; we have a spending problem.

Now, I know that we would like to spend more on things we like. That is human nature. But the reason so many of us are opposed to increasing taxes is that our constituents are opposed to increasing taxes. Make no mistake about it: If the American people believe that an increase in taxes would once and for all eliminate our debt problems here in this country, they would support it.

But, you see, this institution has a credibility problem—in fact, the entire Federal Government has a credibility problem with the American people. The American people do not have confidence in our ability to be prudent with their tax dollars. Do you blame them? When over the course of the last 2 years we have spent over $3 trillion on money, on stimuluses and bailouts, promising that we would increase their opportunity to be more financially secure, and of course that didn't happen. The proof is in the pudding. We spent the money, and guess what? No results.

We have a spending problem. Why? Because so many politicians here who have been here for a long time believe that everything in the budget is a need, not a want. As a parent of a young child, I'm constantly having to explain to him the difference between needs and wants. So the longtime politicians here believe that government is the solution to everything. Well, my friends, believe you me, some of us know it's not, and the vast majority of people know it's not. Trust me. Trust me.

We must get serious. Washington is not an elastic piggybank that is able to continue to fund everyone's wants. Let's get serious. Let's quit spending what we don't have. Let's restore credibility. And we do this by cutting spending through prioritizing. It is that simple. Restore credibility, restore trust. Get down to creating certainty, reducing redtape and creating jobs.

## DEBT AND RESPONSIBILITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Madam Speaker and my colleagues, last week, I tried to point out that there was a serious meeting going on in the White House last weekend between the President and our congressional leaders to point out that we were facing a serious crisis and that we had to do something to make certain that the President felt sure that we would increase the debt ceiling and that we would make certain that we did stop this unnecessary spending. And of course the question of revenues has always been a part of the debate.

What I was trying to do was to point out that on one side it appeared the issue was that we shouldn't tax those people that created jobs—and these are people, as people have pointed out, who are the wealthiest corporations that have record profits, and of course the wealthy that have really had the lowest tax rates and have received more money in the last decade than in the history of the country.

And I was really trying to say that, since the vulnerable and the poor did not have any lobbyists or voices to debate this issue, that when we talk about entitlements, that when we talk about Social Security and Medicare and Medicaid, these are not just political labels. The Medicaid, of course we're talking about the vulnerable, the poor, and those who are sick. Medicare, we're talking about the aged that need help. I was also pointing out that, unfortunately, Social Security has become the main income for so many Americans. And we have veterans that are coming home, we have the jobless, the homeless, the hopeless. And even though they did not have a lobbyist to say, hey, I want to have a seat at that table, that I called to all of our spiritual leaders, since I knew that in every religion there was a good Samaritan aspect which really ended up saying, just do the right thing. I didn't put politics in it, I didn't put party labels in it. And I wasn't just talking to Christians and ministers and Catholics and Protestants; I was reaching out to the rabbis, to the imams, to the Buddhists, to the Mormons, to the Muslims and saying that in every Scripture, in every religious document, taking care of the vulnerable and those who can't take care of themselves, that that moral issue should be on the table.

Well, as a result of that, some people thought that instead of just a good Samaritan, I would ask what Jesus would do. And I just want to make it clear: I haven't the slightest idea what he would do, but my very dear friend, Governor Huckabee, said one of the things that Jesus would do would be to pay his taxes. And, of course, that was something that reminded me.

□ 1030

He also went to Deuteronomy. And he said it on TV: ''For the Lord your God will bless you as He has promised, and you will lend to many nations but will borrow from none. And you will rule over many nations but none will rule over you.''

Well, again, that scored for the good Governor, but however, when you have got a $14.3 trillion debt, it's kind of late for that message to have a strong impact.

But what I want to make clear is that no matter what religion you are, it appears to me that what we're talking about are two sides of sincere Americans that do recognize that this is not just saying that the sky may fall. All economists agree that there are various ways to do it, and we cannot just cut back spending in order to resolve this serious economic problem we have.

As a matter of fact, we have to be very sensitive when we do cut back spending that we don't create an addition to the unemployment and those that provide services to the disadvantaged. And I am talking specifically about our hospitals, about our social workers. Because there is no one in this Chamber that doesn't believe that the homeless and the sick, those that are disabled and those that are dependent on these programs should be ignored as we protect those people who, for whatever reason, have not participated in the creation of those jobs, even though we all are waiting.

But more importantly, we have not heard any complaints from the wealthiest of Americans that more equity should be involved in our taxing system. When the billionaires can say that their secretaries have a higher tax rate than they do, it means that we have a responsibility not to raise taxes but at least to close the inequity that exists that would raise revenue.

So when we do get home it seems to me that we would say this is not a Democratic issue, this is not a Republican issue alone, it is a moral issue.

Thank you, Governor Huckabee.

## HONORING COLONEL GERALD F. RUSSELL OF CENTRE COUNTY, PENNSYLVANIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize and honor a true patriot, humanitarian, and all-around great American, Colonel Gerald F. Russell, United States Marine Corps, of Centre County, Pennsylvania. Colonel Gerald F. Russell is a combat veteran of Guadalcanal, Korea, the Cuban Missile Crisis, and World War II, including the Battle of Iwo Jima, which remains today a seminal event in our Nation's history.

May 1 was Colonel Russell's birthday. I use this time to celebrate his service to our country and his thankless contributions to our local communities of central Pennsylvania.

Madam Speaker, May 1, 1916, was the beginning of a long life of service. In 1940, Colonel Gerald F. Russell graduated from Boston College, enlisted in the first Marine Corps Office Candidates Class, and later that year was commissioned a second lieutenant in the United States Marine Corps. He was assigned to the 11th Marines, 1st Marine Division, Parris Island, South Carolina, and then promoted to first lieutenant.

In September 1942, Colonel Russell landed in the assault waves on Guadalcanal in the first U.S. offensive of World War II. He was promoted to captain that very same day, assigned as battery commander ship, he was hit by Japanese aircraft during landing, which later sank. Colonel Russell suffered shrapnel wounds during the campaign, was not evacuated, and soon contracted malaria. Shortly after, he moved with the 1st Marine Division to Melbourne, Australia, and only returned to the U.S. to recover.

From 1943 to 1945, Russell was assigned to attend the United States Marine Corps Command and Staff College. He was assigned to the 5th Marine Division, Camp Lejeune, as artillery battalion exec, promoted to major, and transferred from artillery to infantry. With 5th Marine Division, he transferred to Hawaii as infantry battalion executive officer. As battalion executive officer, Russell landed in the third assault wave on Iwo Jima, Red Beach One, where he observed the historic flag raising.

Despite wounds to his face and being evacuated, Russell volunteered to stay and lead the battalion after his commander went down. On the 10th day, Russell was elevated to infantry battalion commander, one of the youngest battalion commanders in World War II, and so served the remainder of the campaign.

Russell commanded one of two units to land in Japan for occupation, at Kyushu, and provided protection for the U.S. technical teams covering the atomic bomb site at Nagasaki. Commander Russell accepted the surrender of the Tsushima Islands off the coast of the Japanese mainland. He was then returned to the U.S. and was assigned to the Staff Officers Basic School in Quantico, Virginia, where he served as instructor.

In 1949, Russell was assigned to the 1st Marine Division, Korea, where he served as commander of frontline infantry battalion for 8 months, and as chief of the advisory group of a frontline Korean Marine brigade for 8 months. When he returned to the U.S., he was assigned to the Marine Corps Research and Development Staff in Quantico, Virginia.

In 1952, Russell was assigned to staff, U.S. European Command, Paris, France. That year, he returned to Headquarters U.S. Marine Corps, Washington, D.C., and later transferred to Quantico, assigned as director of the Amphibious Warfare School. He transferred to Camp Lejeune, then appointed commanding officer of the 8th Marine Infantry Regiment. Later, Russell was transferred to Guantanamo Bay, Cuba, to command U.S. Ground Defense Force during the early difficulties with Cuba.

In 1967, Colonel Russell was transferred to Headquarters Marine Corps, Washington, D.C., where he served as Head Marine Corps Division of Morale Services until his retirement from the Marine Corps in 1968.

Russell retired from the Marine Corps on a Friday and started work on Monday as the assistant to the provost at Penn State University. While at Penn State, Colonel Russell served as assistant to the provost, assistant to President Oswald, and assistant secretary for the Penn State Board of Trustees, assistant professor, and assistant to dean of College of Health and Physical Education, and as associate dean until his retirement in 1987.

Since his retirement from Penn State, Colonel Russell has continued as a tireless community volunteer, volunteer advocate, and is known throughout central Pennsylvania and beyond.

Today, Colonel Russell serves as a member of the Centre County United Way Board of Directors, chairman of the Centre County United Way Day of Caring, and remains active in various efforts, which include the Pennsylvania Special Olympics, Centre County Toys for Tots, and many other programs that benefit our community.

After a long and distinguished career, Colonel Russell has a Republic of Korea Distinguished Service Medal, Bronze Star with ''V'' for Valor, the Navy Commendation Medal, the Army Commendation Medal, Purple Heart Medal with two gold stars, U.S. Presidential Citation with four stars, Korean Presidential Unit Citation with three stars, Navy Meritorious Unit Citation, the Defense Medal, Asiatic Pacific Medal with three stars, World War II Victory Medal, National Defense Medal, World War II Japan Occupation Medal, the United Nations Service Medal, Korean Service Medal, among others, for his eminent service to our country.

A decorated veteran with almost three decades of active service, today Colonel Russell is one of just three living regimental commanders of Iwo Jima. The Battle of Iwo Jima served as a watershed moment for the United States in World War II. After capturing Iwo Jima, U.S. Forces were able to have a staging ground for the aerial assault that would help defeat the Japanese Empire.

I want to thank Colonel Russell for his service to this great Nation. Happy birthday, Colonel Russell.

This great victory did not come without great sacrifice. More than 70,000 Marines participated in the Battle of Iwo Jima, 17,372 Marines were wounded and 5,931 Marines made the ultimate sacrifice for this Nation.

Through a life of sacrifice and service to others, Colonel Gerald F. Russell today stands as a living memory of those who lost their lives in WWII and the many others who've given the ultimate sacrifice for this Nation.

Again, thank you for your service to this Nation.

## CONGRESSWOMAN WOOLSEY'S 400TH SPECIAL ORDER ON IRAQ

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Madam Speaker, I rise today, first of all, to pay tribute to a true champion for peace and justice, Congresswoman LYNN WOOLSEY. Her leadership is reflected in the fact that today marks the 400th occasion on which she has spoken on the House floor against the ongoing war in Iraq and the war in Afghanistan.

Today is really a landmark not only because of Congresswoman WOOLSEY's outstanding commitment to ending the wars we are engaged in, but also because she is my good friend. And she will be retiring at the end of this term. I was truly honored to be by her side when she announced her retirement after 20 years of bold and visionary service in this House and serving her district. It was a bittersweet occasion. But I know she will do wonderful things in the next chapter of her life.

Congresswoman WOOLSEY should really be commended for being an unparalleled leader and a guiding light, a truly guiding light in Congress for peace, for SMART Security, and for justice.

Madam Speaker, I would also like to thank Congresswoman WOOLSEY for her unwavering leadership and commitment to end the unsustainable wars in Iraq and Afghanistan. She introduced the very first resolution calling for us to bring our young brave men and women home from Iraq. I believe she pulled together then, what, 130 votes maybe for that resolution? And I want to remind you, this was a time when this body was, quite frankly, very timid in its opposition to the war.

□ 1040

She broke that silence, and I have to thank you for that very historic moment, Congresswoman WOOLSEY. Now we must ensure that the 45,000 United States troops and our military contractors who remain in Iraq leave Iraq at the end of this year, as stated in our Nation's Status of Forces Agreement with Iraq.

Congresswoman WOOLSEY's fight to end these wars is directly tied to, really, the impasse that we are facing over our Nation's debt limit, which we are discussing today. She has tirelessly reminded this body, time and time again, that in order to pay for these wars, the United States has taken on incredible debt. This reckless spending and resulting debt are now being used by many in a dangerous political game which threatens the economic future of our country.

Allowing our government to default on this Nation's legal obligations would threaten every American's economic security, it would devastate people's retirement savings, and it would cripple an already struggling housing market.

The truth is, and Congresswoman WOOLSEY always reminds us of this, is that raising the debt ceiling should be really a very simple thing. This should be a straightforward vote to allow the United States Treasury to fund all of the programs and obligations of the entire government that are already in the law, very simple.

Republicans in the House have already passed a $9 trillion increase in the national debt. And now, instead of working to fund the programs that they already voted to authorize, Republicans are playing a high-stakes game of chicken with the safety and security of every single American so that they can protect the massive tax breaks for the super rich, Big Oil and, of course, hedge funds. They have taken an incredibly irresponsible position that protecting tax breaks for the super rich and Wall Street is more important than protecting the United States Government and Main Street from defaulting on our debt.

And, again, Congresswoman WOOLSEY has been a leader in protecting Social

Security, and I want to remind all of us today that Social Security and Medicare did not create the national debt, and that is really unconscionable to ask our most vulnerable communities to be the ones who must bear the burden of balancing our budget.

It was the Republicans who told us that the financial markets would regulate themselves. In return, what did we get? The financial crisis.

It's the Republican politicians who keep telling us that tax cuts pay for themselves and create jobs. In return, we have a huge deficit and an unacceptable unemployment rate. And it was Republicans who told us that we could fight two wars while giving more tax breaks to their rich friends.

Of course, Congresswoman WOOLSEY for years and years and years had reminded us that, first of all, the wars did not need to be fought, but, secondly, they were morally and fiscally wrong. In return, now we will end up paying a cost of nearly $6 trillion by borrowing the money and adding this to the tally of our Nation's debt.

Now, unfortunately, Republicans are blaming their debts on the most vulnerable Americans. Even now they continue to drive our Nation closer and closer to the brink of disaster just to protect massive tax breaks for billionaires.

So once again, in closing, I am proud to stand here with Congresswoman WOOLSEY as a member of the triad. She is working to end our Nation's wars and will continue to do so to promote national security and to protect our seniors and our children, our working families and the most vulnerable Americans.

Thank you. We owe you, Congresswoman WOOLSEY, a debt of gratitude.

## AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Madam Speaker, on the floor today I think America and all of us in Congress are certainly concerned about the debt ceiling issue and what we are going to do and how we are going to be able to resolve it. But like many of my colleagues on the Democratic side, I am here today to talk about the war in Afghanistan.

Madam Speaker, I have beside me a really profound photograph of a wife in tears and a little girl sitting on her knee, who is too young to understand that her father, United States Army Sergeant Jeffrey Sherer, is laid under the flag that is now folded, being presented to the wife.

This is the pain of war, and I do say to Ms. WOOLSEY, thank you very much for what you have done to try to wake up the Congress and the American people.

Ten billion dollars a month going to Afghanistan. We can't even fix the bridges, we can't fix the roads, we are cutting children's programs, we are cutting senior programs. And yet Mr. Karzai, who is known as a corrupt leader of Afghanistan, is going to get his $10 billion a month while these programs that we are going to cut are going to be denied $10 billion a month. It doesn't make any sense, Madam Speaker.

That brings me to an article written by A.C. Snow. He is well-known in North Carolina, where I am from, for his writings in The News and Observer, which is a State paper in Raleigh, North Carolina. This past July 4th, his article was titled ''Time to Bring Them Home, Let Them Live.''

''Time to Bring Them Home, Let Them Live.''

Let this little girl's father live. Obviously, he will not live. He's dead. But how about the next little girl or little boy, or the wife and, in some cases, the husband?

Let me share with the House from A.C. Snow's writing, ''Time to Bring Them Home, Let Them Live'':

''It seems we never run out of wars. It is as if one small country after another sends out engraved invitations reading: 'We're having a war. Please come.' And Uncle Sam goes, lugging borrowed billions and thousands of young men and women to sacrifice on the altar of so-called freedom or 'nation building.' ''

Snow closes his comments by quoting lyrics from ''Les Miserables'': ''He is young. He is only a boy. You can take, you can give, Let him be, Let him live. Bring him home, Bring him home.''

Snow further writes, ''It's way past time to stop playing politics with the lives of America's youth. Bring them home. Let them live. Not just 30,000 of them. All of them.''

Madam Speaker, I sit here day after day, in committees and on the floor of the House, listening to debate, sometimes being part of the debate. I just hope that the American people will understand that in this discussion at the White House with the leadership of the House and the leadership of the Senate, we could save $100 billion. That's what it costs per year to be in Afghanistan.

Madam Speaker, I have Camp Lejeune Marine Base in my district. I have over 60,000 retired military. I listen to them. No, I did not serve, but I listen to those who are serving and those who did serve.

And like my colleagues, I go to Walter Reed, I go to Bethesda. I see the broken bodies, the amputated legs, the paralyzed; and I have written over 10,300 letters to families like Sergeant Sherer's to say to the families, I regret that I voted to send our kids into Iraq. It was a lie that got us there, and we never should have gone.

So I join my colleagues in both parties to do my part to say let's bring them home from Afghanistan. Let's bring them home before 2014 or 2015.

And, Madam Speaker, may God bless our men and women in uniform, and may God bless America.

## FICTITIOUS DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. HIMES) for 5 minutes.

Mr. HIMES. Madam Speaker, I would like to thank my Republican colleague from North Carolina for that very powerful statement, and I am very glad that Congresswoman WOOLSEY was in the Chamber to hear that, Congresswoman WOOLSEY who has worked so hard to remind us of the terrible consequences of war.

I often sit here as we debate and seize from time to time at the statements of Republican colleagues, but that was profoundly moving, and I thank the gentleman from North Carolina.

I stand today, Madam Speaker, to talk on another issue that should unite our parties, and that is the fundamental question about whether or not the United States honors its commitments.

□ 1050

Today is July 12, exactly 3 weeks before August 2. August 2 is the date at which this government can no longer honor its commitments, at which time it will be forced to choose between paying those soldiers that we heard so movingly described and sending out Social Security checks, running a court system, paying Social Security and Medicare. Do we honor our commitments in the United States of America? I would think that both parties would say ''yes'' to that question. The Treasury Secretary, CEOs of American corporations and economist after economist have told us, Do not play around with the debt ceiling.

What is this debt ceiling, by the way, that is putting into peril the question of whether we honor our commitments? The debt ceiling is a pernicious fiction. It is a fiction that was put in place by this body decades ago to try to convince the American people that we could control our debts. And since then, it has never done that. It has been raised dozens of times as this body took the spending decisions and the tax cut decisions that required borrowing.

Under the Bush administration, the debt ceiling was raised seven times. Dozens and dozens of times, the debt ceiling has been raised. It is a fiction. It is a particularly pernicious set of smoke and mirrors that this institution uses to make people feel better while the debt rises, as it did under President Reagan, as it did under the first President Bush, as it did not under President Clinton, and as it did under President George W. Bush and President Obama.

So now the question is, do we honor the commitments made historically in this Chamber? We raise the debt ceiling not to spend more new money, to start new programs or to cut new taxes, but because we honor the commitments that were made in this Chamber to cut taxes in '01 and '03, to go to war twice in the last decade and to add an expensive new drug benefit in Medicare.

Look, these are all things that people supported and opposed, but we committed to do them as a body. And you cannot make those decisions, you cannot vote to lower taxes or to increase spending and then turn around and say, I'm not going to pay for that. That is the worst sort of hypocrisy.

I'm glad that my friend from Louisiana (Mr. LANDRY) talked about credit cards, but he got it a little bit wrong. The debt ceiling is sort of like a credit card, but what we're talking about right now, because we are talking about paying for past decisions and commitments, would be as if I went to the electronics store and I bought myself a big screen TV, I bought myself a new microwave, and I bought myself a new home security system, and then I get home and a month later I get the credit card bill and I say, uh, I don't know if I'm going to pay this credit card bill. I took the decisions. I made the commitments. And now the time has come to honor those commitments.

Do we act as stewards of one of the best assets that this country has, our full faith and credit, the belief that the United States honors its commitments? This is a critical asset, particularly now at a time of great economic uncertainty. Do we act as stewards of that full faith and credit? Or do we use the debt ceiling as a gun to the head to say that unless you do X, Y and Z, unless you cut 2 trillion or 3 trillion, we won't raise the debt ceiling, which is what we are hearing from the Republican side today? Do you use it? Do you hold it hostage, the full faith and credit of the United States? That is what we are seeing today.

Look, there is no question we need to address the deficit. We need to address the long-term sustainability of Medicare and Social Security in an equitable way. We should do that. And this President has basically put everything on the table, including making some of my colleagues on the Democratic side very uncomfortable with Social Security and Medicare. But he has put them on the table because there can be no sacred cows, unless you're JOHN BOEHNER, or a Republican, and not everything is on the table because we won't put the immense amount of spending we do through the Tax Code for advantages for oil companies, for advantages for big agriculture and for all sorts of tax breaks for corporations and others. We won't even talk about that.

My friends, this comes down to the question of do we honor our commitments? The answer to that question must be yes.

## CONGRESSIONAL PENSION PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. COBLE) for 5 minutes.

Mr. COBLE. This week, Madam Speaker, I will introduce a bill that will amend the rules applicable to participation in the congressional pension plan. Under the present plan, upon completion of 5 years' service, a Member's pension vests. I believe a Member should make a more firm commitment than 5 years to become eligible to participate in the plan.

My bill, Madam Speaker, will increase the eligibility requirement from 5 years to 12 years. The bill, if enacted, will become effective at the convening of the 113th Congress. A Member could serve six 2-year House terms, two 6-year Senate terms or a combination thereof to become eligible to participate in the congressional pension plan.

If any colleagues are interested in my proposal, I will welcome cosponsors to the bill.

## ENDING THE WAR IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. GRIJALVA) for 5 minutes.

Mr. GRIJALVA. Madam Speaker, I am here to join with my colleagues in thanking the gentlelady from California (Ms. WOOLSEY) for all that she has done to provide leadership on an issue that has been critical to the American people on an issue that she could very justifiably say, ''I told you so.''

Since I've been in this House, it's been my distinct privilege to consider her a friend and to enjoy the leadership and the insight that she has provided to many of us. Her position on Afghanistan is correct and a necessary position as we see these times before us. Americans who feel the sting of doing more with less are connecting the dots between Federal spending priorities and the pain that they're feeling at home right now.

Americans struggling to put their kids through college without any Pell Grants or running out of unemployment benefits with no new job on the horizon cannot ignore the cost of this war. The war has cost taxpayers in my congressional district more than $580 million so far. That's about 11,000 elementary school teachers that could be hired for a year or 84,000 students that could go to community college or a university or a trade school or a career school.

These are just some of the bad tradeoffs we are making by spending our national resources on a war instead of fixing the problems that we have here at home. Ask yourself, which would you rather have, a war that is not making us safer and not worth the cost, or a more educated, prosperous America?

We cannot afford the nearly $10 billion per month while families struggle to stay afloat and the slow recovery of our Nation continues. Keeping America safe does not require 100,000 troops in Afghanistan. Al Qaeda is no longer in Afghanistan but scattered across the world. It did not take 100,000 troops to find Osama bin Laden, and it does not take a military occupation of Afghanistan to protect us from terrorist threats.

I am deeply proud of the hard work and incredible sacrifice of our brave men and women in uniform. We know they are carrying out the mission in Afghanistan with dedication and extraordinary competence. Through this nearly 10-year military campaign, they have done all that we have asked of them and represented our Nation's very best values and ideals. Now it's time to bring our troops home, and bring them home to a new reality. Since the year 2000, we have lost 2 million jobs in this country while we have added 30 million people to our population. After 10 years of a failed fiscal policy that brags about job creators through tax cuts, incentives and subsidies to corporations, this failed policy continues to be promoted as a solution to our economy and to the recession that we find ourselves in.

We need to bring our troops home. We need to integrate them fully back into our society and into our country. One of the best ways to do that is to provide jobs and opportunity. And one way is for the government to create jobs in public service and public works. By putting America back to work, we are beginning to crawl out of the hole that we have been in for the last 10 years.

Afghanistan is a stark example of flawed priorities. As we go forward with the discussion of the debt ceiling, with how to balance this budget and how to articulate priorities that the American people want, let us not forget that one of the priorities the American people have insisted on time and time again is to end these two misadventures in Iraq and Afghanistan, bring those troops home, redirect those resources to the needs that the American people face right now, and in this way, begin not only to make our economy better, but return some moral imperative to this Nation.

□ 1100

## JOBS AND THE ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. QUAYLE) for 5 minutes.

Mr. QUAYLE. Madam Speaker, last Friday's jobs report was incredibly disappointing. We only added 18,000 jobs to the U.S. economy. Our unemployment rate went up to 9.2 percent. Not to mention the fact that we had a downgrade, a revision, of last month's, of May's job report to only 25,000 jobs. The deeper you go into that jobs report, the worse it gets, because for those who are underemployed, that's about 16 percent to 17 percent of the United States population, and that is not even including the 250,000 people who went off the rolls of the unemployed because they just stopped looking for work.

We've been talking about jobs for a long time. You hear it all the time in the halls of Congress. But what have we done? The House has passed a number of bills that would immediately open up a marketplace for job creation and job growth, but unfortunately our friends on the other side of the Capitol in the Senate have done nothing to advance these pieces of legislation. And it's not like they've had anything to do. I mean, they haven't even passed a budget in over 800 days. So I would ask our friends in the Senate to start to push these pro-growth economic policies so we can get Americans back to work.

But it's not just our friends on the other side of the Capitol who are holding us back. It's the administration who has pursued policies that have hurt job creation and economic growth. To be a good manager, to be a good executive, you have to be able to do two things well: One is to be able to analyze and pinpoint a problem, and the second part is to find a solution for that problem. Unfortunately, we have an administration that doesn't even do the first part well. They actually pinpoint problems that don't exist, or problems that aren't problems at all, so you can't even get to a solution that will get Americans back to work.

Let me give you a couple of examples of this. Recently, the President said that one of the problems we have with job creation is with ATMs and kiosks at our airports. I didn't know about the scourge of ATMs and kiosks, but apparently those are what are holding back our job creators. This is called innovation. This is called efficiency.

It reminds me of a story of when the famed economist Milton Friedman went to China. He was witnessing some excavation for a canal, and there were thousands of people who were digging with shovels. Milton Friedman asked: Why aren't you guys using bulldozers or excavators, those things that will make this more efficient?

The Chinese officials said: Then we couldn't put these people to work.

To that, Milton Friedman responded: Why don't you give them spoons?

Innovation and efficiency make our economy stronger, they're net job creators, so we should be going after what is really holding our country and is really holding back economic growth, and that is the NLRB who is attacking American companies who want to create American jobs. That is the EPA, who is going after numerous pieces of regulation that will in the near term kill jobs, in the medium term kill jobs, and in the long term kill jobs. We should be going after the FTC who is now going after Captain Crunch and Tony the Tiger. Those sorts of things are the ones that are holding our country back and holding back economic growth. We should be looking at those burdensome regulations and removing that and letting our entrepreneurs and our job creators unleash the ingenuity that they have within them.

There is one area of agreement that I do have with the President, and that is with the free trade agreements. The free trade agreements with South Korea, Colombia and Panama need to be passed through the House. But we've got to agree on something. They have been sitting on the President's desk since he has been in office. I urge the President to send those free trade agreements without any additional spending attached to them, because those are job creators. For every billion dollars worth of exports, it is 10,000 jobs here at home.

So I really hope the administration starts to pinpoint and look at the real problems that our country is facing so we can get America back to work and we can lead to more economic growth and prosperity, because it starts with the American worker.

## DEBT CEILING NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GARAMENDI) for 5 minutes.

Mr. GARAMENDI. Thank you, Madam Speaker.

I was just kind of curious about which one of those EPA regulations that my colleague was talking about. Perhaps it's the one that would prevent the emission of mercury into the air, or arsenic into the water. Maybe they want to poison the air and the water. Maybe that's what they're looking at. Or the SEC regulation that would bring to heel Wall Street and all of its excesses which just about terminated the economies of the world. Maybe those are the regulations they don't want to see. In any case, what I would really like to talk about here is the negotiations that are under way to deal with the looming crisis of the debt.

The President of the United States has said, okay, let's not kick the can down the road any further, let's deal with this issue, and has proposed a $4 trillion solution. No sooner did he make that proposal than our Republican colleagues said, oh, no, we can't do that because that will include finally creating in America a fair Tax Code, one in which the superwealthy are actually going to get to pay for their share of the burden. For example, the hedge fund managers who pay a 15 percent rate on their earnings, their ordinary income, while the rest of us get to pay the full freight, whatever that might be, 35 percent for those at the top brackets. But, no, no, we can't deal with that problem, so we can't have a $4 trillion solution.

The President also says, We're not going to kick the can down the road. We want to extend the debt limit to at least 2013, to put this issue off. But the Republicans don't want to do that. They want to do a short term.

I wonder what's going on here. Talking about cuts, the only cut that I've seen thus far defined by our Republican colleagues is to cut Medicare. In fact, not just cut it, terminate Medicare, to somehow take all of those Americans who are 55 years or younger, and say to them, no, when you become 65, you will not have Medicare. We'll give you a voucher and you can go out and take your best shot with the private insurance sector.

Good luck. I was an insurance commissioner. I know what those private insurance companies will do. They'll deny you benefits, deny you coverage, and they will tell the doctor exactly what you might actually receive in terms of health care. It doesn't make much sense to me.

I think we need to support the President in this matter. I think we need a balanced approach here, one in which the wealthy finally get to pay their fair share, in which the oil companies no longer receive our hard-earned tax dollars so that they can have their $4 billion subsidy. I think it's time, as we heard earlier from our colleagues, to end the wars. If we end the war in Afghanistan, we could over the next 4 or 5 years have a third of a trillion dollar reduction in our deficit.

There are many things that can be done, but one thing we will not do is to attack Social Security. Social Security and Medicare are the foundation of support for all Americans. When they become old, 65 and older, they know that they have that benefit available to them.

Medicare works. Medicare is actually far more efficient than any private health insurance system. It has provided seniors across this Nation with an opportunity to not be impoverished when they become 65, that their health care will be provided to them. It has allowed for the extension of their lives. It has reduced the poverty rate. Together with Social Security, these are two of the foundations that we have promised every American. When they become 65, they will not face poverty. They will have a foundation. Not enough to provide all that they might want but at least a foundation.

And so as we go through this whole issue of whether we're going to raise the debt limit or not, let us be mindful that we will not do it on the backs of the seniors, and we will do it in a balanced way as the President has said. We will provide for a fair Tax Code in which the superwealthy pay their fair share, in which corporations are no longer able to evade taxes, in which the oil companies no longer will receive our hard-earned tax dollars so that they can have even greater profits, and let us be mindful that the oil industry itself over the last 10 years, the top five oil companies have had over a trillion dollars of profits. It's time to bring back those subsidies and to balance our budget. We can do these things.

□ 1110

## DEBT LIMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SCHILLING) for 5 minutes.

Mr. SCHILLING. Madam Speaker, I come before the floor of the House this morning to talk about the top issue of the Illinois 17th Congressional District, and that is the debt limit. The debt limit has been raised 51 times since 1978. Mr. Geithner has indicated that doing the same thing over and over again is insanity, and I tend to agree with him.

Where are we at today? $14.2 trillion in debt. We reached the debt limit on May 16, 2011. Business owners such as myself share a message with people: it is time that we did the responsible thing and come up with some solutions so we stop the continuance of leaving this debt to our kids and our grandkids.

As a small business owner, I'm asking President Obama not to balance the budget on the backs of the small businesses across the United States of America. The thing that I understand as a small business owner is that in a downturn economy, the worst thing we can do here from Washington, DC, is raise taxes on small businesses. The reason why, and I use my business as an example is, in a downturn economy, I understand that raising prices on my product when people are already struggling to purchase a product is not the best thing to do. When my taxes go up, I can raise the price or I can let someone go. And, you know, as hard as it is to let someone go, that's what businesses will have to do because people won't be able to afford their product.

We need to try a different way, and that's why we are promoting a new train of thought here in Washington, DC. These 87 Members of Congress have changed the thought process of Washington, DC. We've changed the thought process from how much can we spend to how much can we cut. What we have also done is, we are trying to get Washington, DC, to focus in on wants versus needs and then prioritizing those out.

The President has even admitted that the overregulation needs to be addressed. Whether it is the EPA, OSHA, the overtaxing, the 1099 tax form that we just got repealed, the Small Business Administration says that businesses like my little pizzeria in Moline spend four-and-a-half times as much per employee to comply with environmental regulations than bigger companies. We spend three times more per employee on tax compliance than large businesses.

Congress needs to provide an environment with some economic certainties. We can do this by stopping tax increases on our job creators. My home State of Illinois, and quite frankly President Obama's State of Illinois, recently had the largest tax increase in the history of the State. It seems like every morning you open up the paper in Illinois and another business is threatening to leave. We can do something about this. We can provide our job creators with a certainty that with the unemployment rate at 9.2 percent, we don't need to add any more tax burden or further any more overregulation.

## HOME RULE FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Madam Speaker, before I begin my remarks, I too want to acknowledge my good friend, LYNN WOOLSEY, for 20 really illustrious years in the Congress. I cannot imagine why she would want to end her illustrious career here so early. We will miss her.

I should warn Members of Congress that a peculiar part of the Financial Services appropriations, which comes to the floor this week, will seem particularly strange, even inappropriate. It is a historical anachronism, and I can only apologize for it. We must quickly make sure that we enter the 21st century on the District of Columbia local budget. Yes, it is our budget. We raise it all in the District of Columbia. We are American citizens.

Some have said, But the District of Columbia is mentioned and comes under the Constitution. So be it. I'm a constitutional lawyer; I concede that. But in their wisdom, after 150 years of shame, the Congress of the United States decided to grant home rule, as we call it, to the District of Columbia. So that instead of having a city of hundreds of thousands of Americans run by a Federal body, the Congress said that we delegate, we use our power under the Constitution to delegate to the District of Columbia the ability to elect its local officials, and raise its own money—we were raising our own budget all along. And spend its own money. For the most part Congress has adhered to this delegation by law. After all, we raise $4 billion. That's more than some States.

It is, of course, the very essence of the principle of federalism embraced by both sides of the aisle of this body. Our federalism is what has held the Union together. We are a very different jurisdiction, so we have acknowledged different strokes for different folks. As if to reinforce that principle, a new crop of Republicans has come with federalism as a virtual original principle, giving new meaning to the notion of local control. Indeed, these new Republicans want the Federal Government out of even many Federal matters and to them turned back to the States. And so I imagine that the whole notion of the big foot of the Federal Government on the District of Columbia in local matters would particularly offend the new so-called ''tea party'' Republicans if they are adhering to their own principles.

The appropriation that will come before this body already intrudes on the District of Columbia with one rider, a rider involving abortion services for local women. That's embedded in it. If this Congress holds to principle, there certainly will be no more.

The world saw the reaction the last time the Congress tried to add attachments to the District of Columbia appropriation. It was in the budget deal of 2011. At a time when people in the Mideast were in the streets against their government, it was our government that went into the streets, and you saw elected officials from the top of the government, both the executive and the legislature, arrested in acts of civil disobedience because of intrusion on the way that the citizens of the District of Columbia spend their own local money. And the White House was not exempt. Residents also went to the White House and some were arrested right there because the White House agreed to the 2011 budget deal at the very last minute.

Now a new national organization composed of national organizations that themselves have millions of members across the United States have come forward to help us, and they have sent letters to Members of Congress saying that you will not be able to anonymously any more engage in intrusion on the local affairs of a local jurisdiction. We are activating our members to let them know if you intrude by voting for any attachment that takes away the ability of the District of Columbia to spend its own local funds as it sees fit. Local taxes, my friends, local issues. Not your business unless you raise the money.

Some of these issues are controversial. That also is the essence of federalism. We, of course, bow to the differences among us instead of trying to take away our rights to embrace those differences. Much that occurs in your district is enough to raise the hairs of my own citizens. We would not want to deprive you of your rights. We ask that you do not deprive us of ours. There will be consequences.

## DEBT CEILING NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. ROKITA) for 5 minutes.

Mr. ROKITA. Madam Speaker, I rise today to address the ongoing debt ceiling negotiations, or so they're called. The debt crisis currently facing our country is a grave one. Make no mistake, the Chairman of the Joint Chiefs of Staff has called the debt the greatest threat to our national security. Not Iraq, not Afghanistan, not al Qaeda, but our debt.

Since January 2009, $3.7 trillion has been added to the national debt. Currently, our debt stands at $14.3 trillion, and I'm told if you add in the cost, the present day cost of all of the promises that irresponsible people who have stood here before me have made to the American people, that the cost would be over $70 trillion.

□ 1120

Many Americans, including this one, can't even conceptualize that, can't count that high. And that's not their fault; that's this body's fault. There is a lot of fearmongering going on by people who want us to spend more. They have seen these tactics work in the past—bank bailouts, massive spending bills.

Even if the calamity forecast were to come to pass, it doesn't change the fact that the debt crisis we face is our fiscal sin. Our generation and generations before ours are responsible for it; not my kids, not your kids, and not our grandchildren. If addressing it hurts in the short term, then I say so be it.

I reject the idea that we would pass this mess on to our kids for some short-term economic or political gain. That is one of the most piggish ideas I've ever heard, and it runs counter to the spirit that helped make this Nation great, an exceptional Nation. We own this mess. If we have to suffer a little bit in the short term to right our fiscal house in the long term, that's our duty, and it's our duty to fix it. It is debt that is hurting the economy and, don't forget, the misguided, big-government economic ideas that have been implemented over the last 2½ years.

These debt ceiling negotiations are a great opportunity to enact monumental reform within the Federal Government, making the future brighter for all Americans, so the next 2 weeks, my colleagues, are critical. We can do it, if we want to, in a bipartisan fashion. We must seize the opportunity. It is more important that we craft a deal that gets it right for the sake of our children and grandchildren than we implement a false fix driven by short-term thinking. Getting it right means enacting permanent and structural reforms to the way Washington spends. Raising taxes is not necessary and would only hurt the economy. Our government doesn't tax too little. Our government spends too much.

By ''permanent and structural,'' I mean a balanced budget amendment. A balanced budget amendment would be hard for a future Congress or a future President to change, and it would force the necessary things that cause us to live within our means again. In order to raise the debt ceiling, the price for that concession must be the passage of permanent and structural reforms like the balanced budget amendment—period. There is no additional negotiation. There is no additional request. The request is to raise the debt ceiling $2 trillion. Okay. Let's do it, but if we do it, let's make sure it never has to be done again. The only way to do that is through permanent and structural reforms like a balanced budget amendment. If the consequences of not raising the debt ceiling are as severe as some suggest, surely we can find the common ground necessary for a deal that forces our government to balance its budget like American families do every month.

I'm excited. Rarely does a legislative body have a chance to do something so monumental and so monumentally great. This would be among the most significant reforms in our Nation's history. I don't know that an opportunity to enact a balanced budget amendment will be within our reach again for a very long time.

I do know I've only been around for 6 months on this floor, and no matter how long I or others stay, I think we will look back on the next 3 weeks as one of the best opportunities we will have ever had for making things better for our future, for our posterity. That ultimately is how we should look at every vote we take on this floor, not how it will benefit us in the here and now, but how it will benefit our children's chances to inherit what we did—the greatest, most exceptional Nation the world has ever known. I didn't come here to vote for us in the here and now. I came here to vote for our future.

Now is the time for bold, decisive action. Now is the time for a balanced budget amendment. Nothing short of the future of our children and grandchildren is at stake.

## AMERICA NEEDS TO ADDRESS CAUSES, NOT EFFECTS, OF AMERICA'S ECONOMIC PREDICAMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Madam Speaker, America's so-called ''spending problem'' directly relates to unemployment. Revenues just aren't growing fast enough because of unemployment. Yet Washington, D.C., is tied in knots over raising the debt limit and over how much more America has to borrow because our economy isn't growing fast enough to put millions of Americans back to work.

But you can't balance a budget unless people are working, because unemployment equals a loss of revenues with rising deficits. People know this. When they're out of work, they have deficits in their own family budgets, and they have to cut back. Our local school systems have to cut back because we know revenues aren't there, and certainly our Nation has to cut back when the revenues aren't coming in. Yet many inside Washington, D.C., have their eyes on the effect, not on the cause, of our predicament.

The principal cause of deficits is unemployment. Triggered by what? Triggered first by Wall Street corruption and greed. As well, deficits are triggered by growing trade deficits, which I will talk about in a second, due to the outsourcing of U.S. jobs, and rising deficits are due to endless wars.

America needs to address these causes, but Washington is addressing only effects. Again today, we have news that one of the principal causes of chronic unemployment and deficits is headed in the wrong direction. The United States trade deficit, our balance of goods and services accounts with other countries, is seriously hemorrhaging. In May, the U.S. trade deficit grew again—more in the red—by over $50.2 billion. More lost jobs. Yes, the imports of higher priced oil keep pushing all of America deeper into the red. People know it because they're paying over $4 a gallon when they fill up their cars with gas. I did that last night again.

America has a jobs problem, and that triggers the red ink. America has a jobs problem. That triggers the red ink. Wake up, Washington. America has a jobs problem.

In 1993, some Members here in Congress argued, Oh, pass NAFTA, over my strong objections, because it's going to create millions of jobs, and we will have this terrific trade balance with Mexico and Canada. Exactly the reverse happened. We have over $1 trillion of trade deficit post-NAFTA, and there hasn't been a single year in which it has been balanced. Millions of U.S. jobs have been lost. And each year more red ink due to NAFTA stacks up—over a trillion dollars and counting.

Then in the late 1990s, the same Members said, Oh, let's sign the same kind of deal with China, and we did, over my strong objections again. Guess what happened? Millions more lost jobs in this country. In fact, the Manufacturing Policy Project estimates that there have been over 14 million jobs lost just in terms of NAFTA and PNTR.

We can no longer afford to add hundreds of billions of dollars annually to our trade deficit, because it throttles economic growth. It literally crushes it. It creates more unemployment in this country. Today, we are facing unsustainable levels of unemployment for the third year since the recklessness of Wall Street brought the economy crushing down after gas prices went up to over $4 a gallon in 2007. The official unemployment rates today are over 9 percent, and this causes red ink at every level; but rather than focusing on job creation, Washington wants to give us more of these trade agreements, this time they say with South Korea, Colombia and Panama, using the same failed trade model that has resulted in huge trade deficits and more lost jobs.

Congress needs to address causes. We need to get our deficits under control by balancing our trade accounts and stopping job outsourcing. We need to get our deficits under control by putting people back to work. We need to get our deficits under control by ending endless wars, and we need to balance our accounts by making sure that Wall Street and the greedy who are getting a free ride pay their fair share.

America needs a results-oriented trade policy that creates jobs here in our country, with more exports going out than imports coming in, and a trade policy that holds our trade partners accountable. We don't need more NAFTA trade model-type agreements, which is what they're going to try to push through again. Madam Speaker, America's deficit problem relates directly to a lack of jobs—to vast pools of unemployed people, to Americans who want to work but who are losing hope. Unemployment translates into red ink and a lack of revenue. Until this Congress addresses unemployment, it won't solve the deficit problem.

America needs to address the causes, not the effects of America's economic predicament. When will this Congress address those causes?

## THE OATH TO DEFEND THE U.S. CONSTITUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. GRAVES) for 5 minutes.

Mr. GRAVES of Georgia. Madam Speaker, I rise today to remind my colleagues why we are here.

We are here to represent our constituents, and we are bound by an oath that we all took when we were sworn into office.

As each of us stood in this Chamber, we solemnly swore that we would support and defend the Constitution of the United States against all enemies, foreign and domestic; that we would bear true faith and allegiance to the same; that we would take this obligation freely, without any mental reservation or purpose of evasion; and that we would well and faithfully discharge the duties of this office in which we serve, so help us God.

□ 1130

Madam Speaker, there is a constituent of mine, Jack Smith. He is a defender of the Constitution and one of the strongest conservatives I know. Jack never fails to sound the alarm when Washington is off track when it comes to the Constitution—and I think we all know that comes quite often; it is very frequent.

So whether it's a foreign or domestic enemy of the Constitution, I stand committed to defend this document whenever and wherever I can. And today, in honor of Jack and the Ninth Congressional District, Liberty Council, and all my constituents, I urge the Members of this House, the Senate, and the Office of the President to reflect on your oath, to reflect on what you swore as you took that oath of office and the clear guidelines that it and the Constitution have bound us by, because the future of this great and glorious cause we call America depends on it.

## SEXUAL ASSAULT IN THE MILITARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Madam Speaker, for a number of months now I have come to this floor to tell the stories of men and women in the military who have been raped by other soldiers. As heinous as those assaults are, the greatest injustice is suffered after the assault when victims are doubted, debased, disrespected, and discharged from the military that they have so proudly enlisted in.

Last night, I had a long conversation with an Army and Navy veteran, Terri Odom, who told me she dreamed to serve in the military since she was a little girl. She was so determined that between her junior and senior summer she went to boot camp—not to some playground area somewhere in her community, but to boot camp. After high school, she went to Sicily with the Seabees. She told me that she had never been happier, serving her country, seeing the world, even swimming in the Mediterranean. It was like Terri was living a military recruiting commercial.

While there, she was befriended by an NCO 25 years her senior. He was a father figure to Terri, and she trusted him explicitly. When he volunteered to walk her home one night, Terri accepted the offer without hesitation. She told me that when he first grabbed her, she was more confused than scared. This is a young woman who was very proud of her service and had the utmost respect for her colleagues, particularly one who had such a distinguished career. This couldn't possibly be happening.

Terri's story is graphic. I only tell you the details so you can understand how horrific the response has been from our military.

Terri was raped repeatedly. Her abuser used pipes and other objects he found in her bathroom that was being remodeled. He cut her arms and vagina, then poured paint thinner into her wounds. He punched her with the full force of his 6-foot-4-inch, 270-pound frame. Terri, it should be noted, is 5 foot 3 inches. She fought back, even did some damage, but she was outmatched.

She woke up in a bathtub covered in blood. She was missing teeth and fingernails, yet her first thought was that she couldn't be late for duty. She also knew that she could get medical attention and file a criminal complaint at the base. Surely, the Navy would take care of her. It turns out she was wrong about that, as she was about her rapist.

Terri cleaned herself up, showered, showed up for duty, and reported the rape to her chain of command. She requested medical attention, but was told instead to take an aspirin and sleep it off. No one in Terri's chain of command allowed her to get medical attention. Instead, they told her to drop the rape story or her career would be over. Despite valiant efforts to stop it, Terri was eventually honorably discharged against her will, which is exactly what happens to 90 percent of military personnel who report rapes.

The Navy lost a good soldier that day. The Navy also kept a rapist—not officially, of course, because there was never an investigation. The reason? Because in the military, the authority to request one lies with the chain of command; but the chain of command is incentivized not to, because they are judged on how few instances of rape and other mishaps occur during their command. This is as true today as it was when Terri served. That is why Terri Odom has once again answered the call to service. She is here with me this morning to make sure her story is heard.

This Nation must aggressively pursue rape charges in our military. Sexual assault cases must be taken out of the chain of command and must never be punished by nonjudicial remedies like a mere demotion in rank. Finally, a uniform is not a get-out-of-jail-free card. Military sex offenders must be entered into the same national database as those in the civilian world.

Two decades ago, a young woman served proudly in the United States Navy and knew she was making the world a better place; then, a criminal and a criminally negligent system conspired to take it all away from her. But that young woman is back and she is not alone. Women and men from every branch of the military are speaking up. This is a problem we can fix. We only have to want to.

## NO RAISING TAXES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. BURTON) for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, I have listened to my colleagues on the other side of the aisle talking about the need for us to get our economic house in order.

The President down at the White House is saying that we have to raise taxes because we have a revenue problem and we need to bring in more money. The fact of the matter is that this last year we had a 7 percent increase in taxes coming in. We had a 7 percent increase in taxes coming in even though we have the unemployment problems that we have. The problem was we spent 11 percent more than we took in.

So the problem we have right now is that the White House is spending too much money. We have to cut spending. We're bringing in more money than we did last year, last fiscal year, but we're spending way more than that. So we have a spending problem, not a taxing problem.

Now, they also said that we ought to tax the rich more. The fact is that the top 20 percent of wage earners in this country pay over 85 percent of the taxes. Now, if they raise that tax up, you're taking more money out of the people's pockets who can invest in companies, in business and industry that will create jobs and products that we can export around the world.

I don't understand why we can't get that point across very clearly to the American people. If we want to cure the unemployment problem, which is now 9.2 percent, what we have to do is get the private sector in a position where they can create more jobs. That means we need to lower taxes, not raise them, like Ronald Reagan did. We need to cut government regulations, so that the private sector won't be strangled by the regulations in this country, and then let the free enterprise system work. If we do that, unemployment will go down; there will be more people working. Therefore, there will be more taxpayers paying into the treasury. Therefore, the deficit will go down and we won't have the economic problems we have today.

But raising taxes right now on any part of our society will only exacerbate the problem. And if the President has his way and we end up raising taxes—and I'm not going to vote for it—then what's going to happen is we're going to see unemployment get worse and worse and worse.

We've got to do what's economically correct, fiscally responsible, and that is to cut spending and to not raise taxes, especially in this climate. And if we do that and free up the free enterprise system, this country will get back on track very quickly.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 39 minutes a.m.), the House stood in recess until noon.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of this assembly to be the best and most faithful servants of the people they serve. Purify their intentions, that they will say what they believe and act consistent with their words.

May they be filled with gratitude at the opportunity they have to serve in this place. We thank You for the abilities they have been given to do their work, to contribute to the common good. May they use their talents as good stewards of Your many gifts and thereby be true servants of justice and partners in peace.

We thank You as well for this marvelous forum, where the important business of this Nation has been done in the past and is done today. May the work being done now be guided by Your Spirit.

May all that is done this day in the people's House be for Your greater honor and glory. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. CRAWFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. CRAWFORD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

## OFFICER BRYAN HEBERT, TEXAS LAWMAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, over the weekend John Wesley Nero got into an argument with his mother and his grandmother. So, being a scoundrel, he beat them both up and then fled into the darkness of the night.

Local Beaumont, Texas, police officers confronted the outlaw to talk to him, but he fled away in his truck, and a high-speed chase occurred.

Meanwhile Officer Bryan Hebert—right here is a photograph of him—had positioned his vehicle ahead of the chase. He attempted to retrieve road spikes out of the trunk to stop Nero's vehicle. According to witnesses, when Nero spotted Hebert's car, Nero intentionally crashed into Hebert's patrol car, shoving the vehicle over Officer Hebert and killing him.

Officer Bryan Hebert, 36, was a 10-year veteran of the Beaumont, Texas, Police Department. John Wesley Nero is charged with capital murder.

Officer Hebert and police officers like him protect the rest of us from killers like Nero. They are the wall between the law and the lawless, the barrier between us and evildoers.

So today the badges of peace officers in southeast Texas are covered with the black cloth of sacrifice in honor of Officer Hebert, a lawman who sacrificed life to uphold the law.

And that's just the way it is.

## PROTECTING SENIOR CITIZENS FROM THE RAID ON SOCIAL SECURITY

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Social Security didn't create the deficit, but America's seniors are being presented with a fake Social Security crisis to try to trick them into accepting reduced benefits.

Social Security will be able to pay 100 percent of its benefits through 2037 without any changes whatsoever. So why the panic today? If seniors accept cuts in Social Security benefits today, a surplus cash flow will build in the Social Security Trust Fund. According to CRS, ''Social Security's cash surpluses are borrowed by the U.S. Treasury and can be used for tax cuts, spending, or repaying debt.''

So here's what's going on: Social Security benefit cuts or an increase in taxes paid to Social Security or extending the retirement age will give the government more money for tax cut spending or repaying the debt, except for one thing: Social Security money belongs to those who have paid into the fund. It's not the government's money to use, and it shouldn't be the government's money to play with.

Senior citizens should not have to accept a reduced standard of living to finance tax cuts for the rich.

We must take a stand for senior citizens and protect Social Security and protect future generations from this raid on Social Security funds.

## SUPPORTING INVESTMENT IN OUR NATION'S INFRASTRUCTURE AND LEVEE SYSTEM

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Madam Speaker, I rise today in support of funding for the Army Corps of Engineers directed toward improving infrastructure and the damaged levee system that needs critical restoration after this historic season of flooding.

The unprecedented flooding along the Lower Mississippi River Valley area touched every part of the First District of Arkansas, my home district, and profoundly impacted our way of life. Homes and property were damaged, businesses were closed, and a vast amount of cropland was under water shortly after planting season had begun.

Preliminary estimates of crop damage across Arkansas has surpassed half a billion dollars, a huge toll on my district's agriculture-based economy. Farming is our way of life, and this bill provides farmers with the assurance necessary to reinvest in future production. Much of America's commodities are produced along the Mississippi Delta, and we must take the necessary steps to ensure our safe and reliable food supply is protected.

This vital investment in our Nation's infrastructure and levee system will provide security not only to our farmers but the families who live and work there as well as our consumers all across the country.

## TRIBUTE TO LEONARD EARL ROBERTS, SR.

(Ms. BASS of California asked and was given permission to address the House for 1 minute.)

Ms. BASS of California. Madam Speaker, I come to the House floor today to pay tribute to a man of exceptional valor, a quiet hero, a committed family man, a successful entrepreneur, and my constituent: Leonard Earl Roberts, Sr.

Mr. Roberts lived an extraordinary life. At the age of 16, he joined the Civilian Conservation Corps and later voluntarily enlisted in the U.S. Army after the attack on Pearl Harbor. Platoon Sergeant Roberts led a special unit ashore on D-day. He and his entire squadron received the Bronze Indian Arrowhead for Assault Troopers, and he received the Purple Heart.

After he was honorably discharged at the close of the war, Mr. Roberts returned home to claim the hand of his childhood sweetheart, Dessie, and then used the GI Bill to attend the Massachusetts Institute of Technology. Mr. Roberts used his MIT engineering degree to invent a machine that would revolutionize the aerospace industry. And in 1972 in Torrance, California, with his wife and family by his side, Leonard Sr. established Roberts Aerospace Manufacturing Engineering Corporation, one of today's leading companies in the industry.

Leonard Earl Roberts, Sr. was a great American born of a great generation. He was a man of service, honor, integrity, faith, and family. He lived an inspirational life, and our Nation will forever be enriched because of him.

□ 1210

## JOBS AND JOB CREATION

(Mr. GUINTA asked and was given permission to address the House for 1 minute.)

Mr. GUINTA. Madam Speaker, I rise today to address the issue of jobs and job creation in our country. For 29 consecutive months we have seen unemployment exceed 8 percent. Back in June, we announced 18,000 jobs were created in this country. That's less than 300 jobs per State, for a now 9.2 percent unemployment rate.

In response to this, in New Hampshire I have established a getting Granite Staters back to work initiative, where I have hosted two job fairs. Over 400 people have attended, where one gentleman had said to me he was out of work for 3 years. Back here in Washington, people like that gentleman need us to pass a balanced budget, reduce our spending, reduce our debt and deficit, and get serious about creating an environment where small business can once again succeed in our country.

I have and hope that the Senate and the administration will join the House in this effort.

## TAXING OUR SENIORS

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, I respectfully suggest a small correction to the Republicans' statement that their position on the deficit negotiations is no new taxes. It would be far more accurate for them to state their position is no new taxes except for seniors, because sharp increases to participate in the costs of Medicare and Medicaid or decreases in the benefits of Social Security would act just like a tax on income targeted right at the elderly.

The Republican proposal for Medicare would hit retired seniors immediately by reopening the doughnut hole. And according to a report from the Joint Economic Committee, for my home State of New York it would cost future retirees an additional $6,500 out of pocket. You can call that some sort of adjustment if you like, but I call it a tax, and I call it wrong. Grover Norquist agrees. He says changes to the CPI is a stealth tax increase: wrong for our seniors, wrong for the economy, and wrong for the country.

## PRESIDENT OBAMA, JOIN US IN SUPPORTING POLICIES THAT WILL PUT AMERICANS BACK TO WORK

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Madam Speaker, 9.2 percent unemployment in June. Twenty-nine months in a row of over 8 percent unemployment. Twenty million Americans remain unemployed or underemployed. It has to stop. These are stark reminders that President Obama's excessive spending, unprecedented debt, and overregulation, as well as the threats of job-killing taxes on small businesses and entrepreneurs, are holding back private sector job creation in our economy.

American job creators fear the regulatory and fiscal environment they will face in the near future. Until they have some certainty, they will not invest or hire. We are working hard to bring back that certainty and ensure our pro-growth economic environment. By doing that, we must cut red tape, cut spending, and keep taxes low, but also pass legislation to expand domestic energy production and open new markets for American goods overseas.

We need President Obama and his party to stop trying to raise taxes on job creators and instead embrace our commonsense proposal to put Americans back to work.

## WE NEED A BIPARTISAN DEBT LIMIT AGREEMENT

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Madam Speaker, as Secretary Geithner has observed, failure to raise the debt ceiling would have catastrophic economic consequences that would last for decades. This view was shared by former Treasury Secretary Paulson, who says that inaction is simply not an option. I agree, and believe that raising the debt ceiling must be accompanied by deficit reduction, mostly by cutting spending, but also by eliminating some unnecessary tax breaks.

Now, there are those who say that there are no unnecessary tax breaks. Let me just give you one. If your neighbor buys a car and pays interest on the loan to buy that car, that interest is not tax-deductible. If your other neighbor buys a yacht and pays interest on the loan to buy that yacht, that interest is tax-deductible.

When we are borrowing 40 cents for every dollar, we have to ask ourselves if those tax breaks are really worth it. If we are starting from scratch, would we really give yacht owners an extra tax break?

## BETTY FORD MEMORIAL

(Mr. AMASH asked and was given permission to address the House for 1 minute.)

Mr. AMASH. Madam Speaker, it is with great sadness that west Michigan learned on Friday of the passing of our First Lady, Betty Ford.

The First Lady spent most of her life in Grand Rapids. A graduate of Central High School, she worked in a department store downtown and was a dance instructor. Early on, Mrs. Ford showed her heart for the disadvantaged in our community, teaching dance to children who were physically disabled, deaf, and blind.

A mutual friend introduced Mrs. Ford to Jerry in 1947. A successful lawyer and former star of the University of Michigan's football team, the future President was not quite in public life when they met. No one could have foreseen the set of circumstances that thrust the Fords into the White House, but Mrs. Ford took the challenge with gusto.

As First Lady, she revealed many of her struggles to the public so that she could help others with similar difficulties. In the 1970s, she publicly spoke about her battle with breast cancer, which was not often discussed during that time. In the 1980s, she took the lessons she learned battling alcoholism to found a number of foundations and institutes dedicated to helping others with the condition.

Betty Ford honored west Michigan with her public service, humor, and grace. We are proud to have called such a fine citizen one of our own.

## RAISING THE DEBT CEILING

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Madam Speaker, in 1983 President Ronald Reagan said the following: ''The full consequences of a default—or even the serious prospect of a default—by the United States are impossible to predict and awesome to contemplate. Denigration of the full faith and credit of the United States would have substantial effects on domestic financial markets and the value of the dollar in exchange markets. The risks, the costs, the disruptions, and the incalculable damage lead me to but one conclusion: the Senate must pass this legislation before the Congress adjourns.''

Thank goodness Congress had the good sense to listen and pass a higher debt limit with no conditions at a time, by the way, when Medicare solvency was far worse than it is today, and then did it 16 more times during the Reagan Presidency.

Today, we have the head of the national Republican Party, Reince Priebus, saying yesterday, don't worry, the government will find some other way to pay its bills. That is dangerous nonsense. It is time for the Republican Party to stop playing Russian roulette with the American economy and American families. Let's pass a clean debt limit and move on to growing the U.S. economy and creating jobs.

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## CONGRATULATING THE U.S. WOMEN'S NATIONAL SOCCER TEAM

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Madam Speaker, on Sunday, like millions of other Americans, I was watching the women's soccer team play in Germany. What a wonderful moment it was when they came back at the last second and grabbed victory from defeat. Abby Wambach's tremendous header, the save by Hope Solo, and the five kicks by the American women made us all proud to be Americans. The American soccer team won, and they are going to play again tomorrow, and we need to cheer for them.

Abby Wambach, when asked about her kick, said it was something about being an American. We don't give up. We know we can win, and we don't give up, and we win. I would ask my Republican colleagues to remember Abby Wambach and not give up and win on the deficit, because otherwise we will be losers in the eyes of the world on our economics and our ability to finance our own debt. Go United States of America.

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## FAILURE OF LEADERSHIP

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Well, negotiations over the Nation's debt ceiling have reached an impasse. After more than 2 years in office, trillions of dollars in borrowing and spending and bailouts and takeovers, the President now says the failure to reach an agreement is because of Republicans in the Congress, Republicans who were in the minority in the last Congress in fact; the President says because Republicans in Washington haven't ''fully realized that the philosophy of politics does not work in governing.'' He is telling us to eat our peas.

Okay. Well, the President basically is saying that Congress owns the problem. But that's not what he said 5 years ago. Explaining his opposition to raising the debt ceiling, then-Senator Barack Obama said, ''The fact we are here today raising America's debt limit is a sign of leadership failure.'' He said that doing so weakens us domestically. He said, ''Leadership means the buck stops here. America has a debt problem and a failure of leadership.'' He said Americans deserve better. Well, I say Senator Obama, you were right.

When the U.S. Government can't pay its bills, it's not only a debt problem, but it is a failure of leadership at the Presidential level, just as you said. The truth is it's the President's problem. If President Obama wants to raise the debt ceiling, he should recognize it's his responsibility, it's his problem, and come to the Congress and ask us to step forward and help him solve that problem by cutting spending now, capping spending, and sending a balanced budget amendment to the States.

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□ 1220

## SOCIAL SECURITY

(Ms. HIRONO asked and was given permission to address the House for 1 minute.)

Ms. HIRONO. Madam Speaker, we can all agree that we need to bring down our deficit, but we disagree on how to do it.

Republicans in Congress say that the only way to do this is to gut the services that American families rely on. Their priority is to protect the wealthiest among us who continue to enjoy loopholes and tax breaks. They should be paying their fair share.

Social Security is a promise to every American worker for years of hard work and provides dignity in retirement and help to support surviving children. Today nearly 55 million Americans rely on Social Security, including 214,000 in Hawaii. The program is vital to women, particularly single women, who disproportionately face poverty in old age.

The American middle class and our seniors deserve a fair solution on the deficit that gets our economy back on track and creates jobs—but not, not on the backs of our families and seniors.

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## PUTTING OUR COUNTRY AT RISK

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Madam Speaker, the ongoing stubbornness by my Republican colleagues to even entertain the idea of increasing revenues is putting our country at risk.

Over the past decade, the top 2 percent of Americans making over $250,000 have done incredibly well. And while I have enjoyed reduced taxes as a result of the Bush-era tax cuts, our seniors, our workers don't even come close. They have lost pensions, 401(k) plans, home values, and all that's left is Social Security and Medicare. As you can see here, these tax cuts are the primary contributor to our debt and deficit over the long term.

Madam Speaker, default on America's debt would be catastrophic to both our economy and the world. It's time for my Republican colleagues to get serious. Stop playing with fire and put the future of the Nation first ahead of millionaires, corporations that avoid taxes and benefit from loopholes in the law, and ahead of those who would ship jobs overseas.

So, no, seniors and those with disabilities didn't cause this deficit, as we can see, and the long-term debt, and they shouldn't have to cut their benefits to pay for it.

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## JOBS, OFFSHORING PREVENTION ACT OF 2011

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Madam Speaker, last week's jobs report showing an unemployment rate going in the wrong direction from 9.1 percent to 9.2 percent underscores the urgent need to focus on policies in this House that help create jobs and grow the economy.

Part of that agenda should be the passage of the Offshoring Prevention Act of 2011, which I introduced last week. At a time when we should be working to restore our manufacturing sector, we are undermining it because our Tax Code actually rewards companies that send manufacturing jobs overseas.

The Offshoring Prevention Act will close the tax loophole that allows this to happen. It has been 27 weeks since the majority party took control of this House, and they have done nothing to create jobs. They haven't even brought a single jobs bill to the House floor.

While they have been stalling on the most important priority for our country, Democrats have put forth our jobs agenda, the Make It in America agenda, which will help rebuild our manufacturing base, invest in policies that keep good-paying jobs here in America, and allow us to compete in the global economy.

Madam Speaker, this is the kind of legislation we should be pursuing here in this House. Sensible legislation that helps our recovering economy, helps us compete in the global marketplace, and puts Americans back to work.

## HONORING MEDAL OF HONOR RECIPIENT SERGEANT FIRST CLASS LEROY PETRY

(Mr. LUJÁN asked and was given permission to address the House for 1 minute.)

Mr. LUJÁN. Madam Speaker, I rise today to honor the bravery and valor of Sergeant First Class Leroy Petry of Santa Fe, who will be awarded the Medal of Honor today by President Obama.

As the second living, active duty Medal of Honor recipient for actions in Iraq or Afghanistan, Sergeant Petry's heroism and sacrifice in the face of extreme danger went above and beyond the call of duty.

As an Army Ranger serving in Afghanistan, Sergeant Petry acted without regard for his own personal safety, thinking only of his fellow soldiers when he threw a grenade away from his squad. His selfless actions cost him his right hand yet saved the lives of his brothers in arms.

New Mexico has a long tradition of serving our country during times of war. In World War II, Navajo code talkers contributed to the victory of our Allied Forces. Seventy-one daughters and sons of New Mexico have made the ultimate sacrifice in service during the Afghanistan and Iraq wars.

Now, with his courageous actions in the face of great danger, Sergeant Petry takes his place among his fellow New Mexicans as a true American hero.

## RAISING THE DEBT CEILING

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Madam Speaker, President Reagan is an iconic figure in the Republican Party and revered by many Democrats. He did fight to shrink government and he lowered taxes, but he also raised taxes eight times and he also fought against the absurd notion that America had an option when it came to paying our bills. When the debt ceiling had to be raised, he did it because he knew that was essential, that was our responsibility.

We have got an argument on the other side today that paying our bills is optional. That is dangerous; that is absurd.

There are two arguments the other side is making: One, that it's Obama's problem, despite the fact that they insisted on the Iraq war, the Afghanistan war, going into nation building, tax cuts that we can't afford, Medicare prescription part D. But, second—this is what's really not on the level—every single person who voted for the Ryan budget voted for a budget that will raise the debt from $14.3 trillion to $23 trillion. And after voting for that budget, now we will vote against raising the debt ceiling that is required to implement the budget that you voted for.

## DEBT LIMIT

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Madam Speaker, as negotiations continue on the upcoming debt ceiling, the retirement savings, mortgages, and pensions of the American people hang in the balance.

It is long past time for both sides—I say, for both sides—to get serious about a balanced budget. Any long-term budget must—I state, must—protect Medicare and Social Security for all Americans, create jobs here at home, and begin to reduce the deficit with intelligent class protection.

It's time for the wealthiest among us to step up to the plate and take up their share. We must end tax breaks for ultrarich, Big Oil companies, and the corporations that ship jobs overseas.

No jobs have been created—I state, no jobs have been created—in the United States since the Bush tax cuts first went into effect. No taxes, no jobs. No taxes, no jobs.

Let us put politics aside and do what is best for the interests of the American people before it is too late.

## MEDICARE

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, this image depicts a watershed moment for our Nation's senior citizens. President Harry Truman conceived of Medicare during his Presidency and received first Medicare card after President Johnson signed the program into law 46 years ago, when 40 percent of Americans over the age of 65 lived at or below the poverty level, largely due to medical costs. Now only 10 percent live in poverty.

But my Republican colleagues seek to radically alter this successful program. Their plan would double annual out-of-pocket expenses from $6,000 to $12,000, would give insurance companies the power to ration care, and would force seniors to spend another $2.2 billion on prescription drugs by reopening the doughnut hole.

Madam Speaker, balancing the budget is a national priority. Everyone needs to work together, and everyone has to sacrifice to get our fiscal house in order.

But my Republican colleagues continue to argue for special interest exceptions from that national sacrifice. They are letting oil companies and companies sending jobs overseas off the hook. Why should profitable companies continue receiving taxpayer subsidies while we're asking Grandma to pay more?

Madam Speaker, as Medicare turns 46, let's get serious. Let's be sure that this is a national priority and a national sacrifice.

□ 1230

## REPUBLICANS' RECKLESS BEHAVIOR

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, we have a lot of Americans who engage in very reckless behavior; but generally, that reckless behavior only affects them or maybe their friends or neighbors.

The Republican majority in this Congress is reckless enough that they want to endanger 310 million Americans; reckless enough that they will refuse to pay our debts no matter what kind of a deal is worked out; reckless enough to make us default on the full faith and credit of the United States; reckless enough to raise interest rates on not only our debt, thereby making the deficit worse, but on every American who has a credit card or an adjustable rate mortgage or is borrowing any money; and reckless enough, according to a bipartisan panel that came to this body last week, to take away 10 percent of GDP, costing this country hundreds of thousands, if not millions, of jobs in the month of August alone.

We have a responsibility to the American people to perform for the interests of their lives and this country. And reckless behavior—refusing to raise the debt limit of the United States is about as reckless as you can get. We need to act responsibly.

## WE WILL NOT SACRIFICE SOCIAL SECURITY

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Madam Speaker, let me draw your attention to this important chart drafted by the Congressional Budget Office. It shows what the drivers of our debt are.

Now, there's something on here that you see and there's something on here that you won't see. You will see Bush-era tax cuts. This is the orange. You will see the wars in Iraq and Afghanistan. That's the red. You will see the economic downturn. That's this blue. This tiny little line here, that's TARP and Fannie and Freddie. And these are the expenses that we paid to try to get our country back on track—the recovery.

What don't you see? You don't see Social Security. Don't let anybody tell you, Madam Speaker, that Social Security is the problem. It's not. Social Security is the promise one generation makes to another so that every senior in America will live in dignity. That's what it's for. That's what it's about. We are not being unreasonable when we demand protection of Social Security. It's not driving the deficit, and it does honor our seniors. And that is what it's all about. That's what we are going to do, and we are not going to give on that.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1309.

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

## FLOOD INSURANCE REFORM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 340 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1309.

□ 1234

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, with Ms. FOXX in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in support of H.R. 1309, the Flood Insurance Reform Act of 2011. I'd like to thank Ms. WATERS and all the Members from both sides of the aisle who helped to craft this bill.

On May 13, the Financial Services Committee favorably reported the Flood Insurance Reform Act by a unanimous vote of 54–0. This bill is important and reflects the hard work and bipartisan support of the Financial Services Committee.

It would reauthorize for 5 years the National Flood Insurance Program, NFIP. The bill would enact a series of reforms designed to, number one, improve NFIP's financial stability; two, to reduce the burden on taxpayers; three, restore integrity to the FEMA mapping system; four, to explore ways to increase private market participation; and, five, to help bring certainty to the housing market.

For over 40 years, taxpayers have subsidized flood insurance premiums for policyholders. To improve NFIP's financial stability, H.R. 1309 phases in actuarially sound rates for policyholders and phases out taxpayer-subsidized rates. As a result, the Congressional Budget Office stated that the bill generates $4.2 billion; and absent a Katrina-like catastrophe, the bill will actually accelerate NFIP's payments on its $17.75 billion debt to the taxpayer. As it stands, NFIP has already paid back taxpayers about $1.8 billion.

But perhaps most importantly, H.R. 1309 eliminates a barrier to the development of a private flood insurance market and puts us on a path towards a responsible, long-term plan that eliminates taxpayer risk.

For the first time, policyholders can choose private flood insurance over government flood insurance without the risk of lender rejection; and the bill eliminates taxpayer-subsidized rates so that the private sector can offer consumers increasingly competitive rates as compared to the NFIP. Second, FEMA is required to solicit bids to determine the cost to the private sector, not to the taxpayer, bearing the risk of flood insurance.

Third, it requires that GAO and FEMA evaluate the feasibility of voluntary, community-based flood insurance. And, fourth, the bill reiterates FEMA's existing authority to purchase reinsurance from the private sector as an alternative to the U.S. Treasury and taxpayers serving as a backstop to NFIP.

Finally, the bill addresses many of the concerns that Members have raised with us about new maps, especially as they relate to the dam and levee decertifications. It allows communities to suspend the requirement to purchase flood insurance while they work to construct or fix their flood protection systems.

Madam Chairman, when Congress created NFIP, there was no viable private-sector flood insurance market. Taxpayers were providing increasing amounts of direct assistance through disaster relief to flood victims. Without reforms contained in this bill, taxpayers will never be paid back the debt they are owed; homeowners and businesses will have limited or no access to flood insurance; and Congress will inevitably have to bail out flood disaster victims, as it did prior to 1968. We cannot allow this to happen.

This bill is the first significant reform to the program in nearly a decade. The NFIP is too important to let lapse and too in debt to continue without reform. I look forward to today's amendment debate and urge my colleagues to support the underlying bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
*Washington, DC, June 2, 2011.*

Hon. SPENCER BACHUS,
*Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 1309, the ''Flood Insurance Reform Act of 2011,'' which is scheduled for floor consideration soon. As a result of your having consulted with us on provisions in H.R. 1309 that fall within the Rule X jurisdiction of the Committee on the Judiciary, we are able to agree to forego action on this bill in order that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1309 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1309, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

LAMAR SMITH,
*Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
*Washington, DC, June 2, 2011.*

Hon. LAMAR SMITH,
*Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 1309, the Flood Insurance Reform Act of 2011. I agree that there are provisions in the legislation that fall under the jurisdiction of the Committee on the Judiciary. I am most appreciative of your decision not to request a referral in the interest of expediting Floor consideration of H.R. 1309.

Further, I agree that by foregoing a sequential referral, the Committee on Judiciary is not waiving its jurisdiction. I will include this exchange of letters in our Committee Report on H.R. 1309 and the Congressional Record during Floor consideration.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,
*Chairman.*

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
*Washington, DC, June 2, 2011.*

Hon. SPENCER BACHUS,
*Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN BACHUS: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 1309, the Flood Insurance Reform Act of 2011. H.R. 1309 has been marked up by the Committee on Financial Services. The amended version of the bill contains provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology.

Based on discussions that the staff of our two committees have had regarding this legislation and in the interest of permitting your Committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive consideration of this bill. However, agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 1309, as well as any similar or related legislation.

I ask that a copy of this letter and your response be included in the report on H.R. 1309 and in the Congressional Record during consideration of this bill.

I look forward to working with you as this important measure moves through the legislative process.

Sincerely,

RALPH M. HALL,
*Chairman, Committee on Science, Space, and Technology.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
*Washington, DC, June 2, 2011.*

Hon. RALPH M. HALL,
*Chairman, Committee on Science, Space and Technology, Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN HALL: Thank you for your letter regarding H.R. 1309, the Flood Insurance Reform Act of 2011. I agree that the section requiring a study on graduated risk in this important legislation falls under the jurisdiction of both the Committee on Financial Services and the Committee on Science, Space and Technology. I am most appreciative of your decision not to request a referral in the interest of expediting consideration of H.R. 1309.

Further, I agree that by foregoing a sequential referral, the Committee on Science, Space and Technology is not waiving its jurisdiction. I will include this exchange of letters in our Committee Report on H.R. 1309 and in the Congressional Record during consideration of this bill.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,
*Chairman.*

I reserve the balance of my time.

Ms. WATERS. Madam Chairwoman, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1309, the Flood Insurance Reform Act of 2011. Before I begin my remarks, I would like to thank Chairman SPENCER BACHUS, Chairwoman JUDY BIGGERT, and Ranking Member BARNEY FRANK for their assistance and support with this bill.

We were able to work in a bipartisan manner on this bill in our committee passing it on a vote of 54–0. The spirit of cooperation between Republicans and Democrats on this bill has been extremely welcome, and this is why I am proud to be an original cosponsor of this bill.

□ 1240

Madam Chairwoman, earlier this year I introduced similar legislation, H.R. 1026, the Flood Insurance Reform Priorities Act. A version of my bill passed the House last year on a bipartisan vote, and I hope that the bill offered by the gentlewoman from Illinois will also pass the House with significant support from both parties.

The flood insurance program is more important now than ever before. Floods are the most common natural disaster and flood insurance is the most effective means for helping families to rebuild after a flood. Therefore, it is vital that flood insurance remain accessible, affordable and available to the 5.5 million homeowners with policies and the many more who may want or need to purchase them.

Unfortunately, the lack of a long-term authorization has placed the flood insurance program at risk. The program lapsed three times last year. These lapses meant that FEMA was not able to write new policies, renew expiring policies or increase coverage limits. Given the current crisis in the housing market, this inability in the flood insurance program is unacceptable and must be addressed. I am pleased that the gentlewoman's bill not only reauthorizes the program for 5 years but also provides the program with the tools it needs to return to a strong financial footing while protecting homeowners.

The bill also addresses the impact of new flood maps on communities. The mapping process has caused confusion and financial strain on homeowners who now find themselves in flood zones and subject to mandatory purchase requirements. I saw this firsthand in my home city of Los Angeles. Last year, I was able to assist homeowners in the Park Mesa Heights area of the city who had been mistakenly placed in a flood zone. In that case, FEMA acted quickly to respond to new data and correct the mistake. However, there are thousands of homeowners nationwide who now find themselves in flood zones and subject to mandatory purchase requirements.

The gentlewoman's bill would ease the financial strain on newly mapped homeowners by allowing for a 3-year delay of the mandatory purchase requirement and allows for a 5-year phase-in of actuarial rates afterwards. In addition, I know that the gentleman from Alabama, the chairman of the committee, will be offering an amendment similar to the one I offered at markup that would extend the 3-year delay to 5 years. I know that the gentleman has worked with a bipartisan coalition of members of the House Levee Caucus, led by the gentleman from Illinois (Mr. COSTELLO), and I look forward to passage of that amendment.

To make sure that FEMA issues the most accurate maps, the bill establishes a Technical Mapping Advisory Council. By improving the mapping process, the council would prevent instances of erroneous flood maps, like the one I encountered in Park Mesa Heights. The bill also makes other improvements to the program by phasing in actuarial rates for pre-FIRM properties, raising maximum coverage limits, providing notice to renters about contents insurance, and allowing homeowners that receive letters of map amendment to be reimbursed for their costs.

Madam Chairwoman, I believe that the gentlewoman from Illinois and I have produced a good bill that will protect homeowners, the flood insurance program, and taxpayers. I hope that we can pass this bill today and that the Senate takes up flood insurance reform in short order so that we do not risk another lapse when the program expires on September 30 of this year. Again, I thank the gentlewoman from Illinois for her tremendous work on this bill, and I strongly urge an ''aye'' vote.

I reserve the balance of my time.

Mrs. BIGGERT. I yield 2 minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Chair, I rise in support of the legislation that is before us today to reform the National Flood Insurance Program.

I would like to thank the gentlelady from Illinois (Mrs. BIGGERT) and the gentlelady from California (Ms. WATERS) for their hard work to bring forth a bipartisan bill which addresses many of the concerns to a program hampered by extraordinary losses and currently facing about $18 billion of debt.

H.R. 1309 provides a long-term extension of the National Flood Insurance Program, but it makes a significantly indebted program more fiscally sound. A 5-year reauthorization will give the certainty that is needed to a program that has been without it for the past 2 years. It is irresponsible and unfair to communities and individuals, especially those who live in flood-prone areas such as mine, to pass short-term extensions and allow temporary lapses when more than 5 million policyholders depend on it for financial security against flooding. Unless congressional action is taken, on September 30, 2011, these policyholders will again be put in danger of losing protection.

Unfortunately, the persistence of subsidized rates for properties in high-risk areas has left the NFIP underfunded and at risk. This bill makes needed reforms to put premiums more in line with risk by incorporating actuarial rates for at-risk properties. Increasing the limit on annual premium rate increases will gradually phase out subsidized premiums and help reduce taxpayer exposure. At the same time, this legislation allows properties relief from the mandatory purchase requirement for up to 3 years so they may be able to plan better for being newly mapped into special flood hazard areas.

Most importantly, this bill gives us a chance to give long-term certainty to policyholders as well as insurers who participate in the program. In a still unsure housing market, it is critical that we provide as much clarity as possible to current and future homeowners.

I am very pleased that this legislation looks at privatization initiatives and the possibilities that the private market as well as reinsurance can play in protecting communities against future flood damages. It is my hope that we will pass this bill.

Again, I want to congratulate the chairwoman for her hard work.

Ms. WATERS. Madam Chairwoman, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY). She has been very much involved in the development of this legislation and has worked very hard.

Mrs. MCCARTHY of New York. I would like to thank the gentlewoman from California (Ms. WATERS) for yielding me this time. It has been a pleasure working with her. I would also like to thank Chairman BACHUS and Subcommittee Chair BIGGERT with whom we have worked. This is something that is important to both of our districts. I also thank Ranking Member BARNEY FRANK.

Madam Chairman, H.R. 1309, the Flood Insurance Reform Act of 2011, reauthorizes the National Flood Insurance Program for 5 years, but it also provides much needed reforms to the National Flood Insurance Program.

My district in Long Island, especially the community of Valley Stream, was included in the early rounds of FEMA's implementation of the flood map modernization process, and we have experienced much of the frustrations associated with the process. The whole idea of redoing what we're doing in this flood map is hopefully to prevent other Members of Congress from being frustrated as much as I have when they're trying to help their community.

Since our maps were enacted in the fall of 2009, I hear daily from our frustrated homeowners who are required to purchase flood insurance because of the updated maps and who feel they did not have the time or the tools necessary to understand and respond to the maps' results. H.R. 1309 contains provisions to better inform homeowners who are required to purchase flood insurance because of updated maps. For example, the bill requires FEMA to notify federally elected officials when there are changes to a flood zone or a map directly in their district.

The bill also requires FEMA to create a method for flood insurance policies to be paid for with installment payments, to ease the burden of having to pay the up-front full payment which can cost thousands of dollars. The bill also allows for homeowners who are in the reduced cost preferred risk policy program to enter into the 5-year phase-in for full actuarial rates when the extended rate expires in 2013.

To ensure the accuracy of the data and process FEMA used in creating the updated maps around the country, H.R. 1309 also creates a Technical Mapping Council made up of agency employees and experts in the field of mapping to develop new mapping standards for future map modernization activities. We need to use every tool available to bring relief to homeowners who are being burdened by FEMA's map modernization process, and the bill before us is a good start.

□ 1250

I would like also to say, once again, working with my colleague Mrs. BIGGERT, working on the subcommittee has been a really good process. We have been able to bring our experiences, what happened in my community in Valley Stream and the frustration that homeowners have gone through. This legislation, although it doesn't cure everything, it will help constituents. And those who have not had their maps done yet, this is a good way for going forward.

Mrs. BIGGERT. Madam Chair, I yield 1½ minutes to the gentleman from Tennessee (Mr. FINCHER), a member of the Financial Services Committee.

Mr. FINCHER. Madam Chairman, I stand before you today because my district recently suffered severe flooding this spring and summer which we are now just beginning to recover from. The flooding of the Mississippi River, caused by an unusual amount of rain from back-to-back storms, left thousands of Tennesseans with flood damage. In my district alone, over 3,000 homes were damaged by storms and floods, and over 4,000 registered for disaster assistance.

Because the Mississippi River borders 110 miles of Tennessee's Eighth Congressional District, many small towns and farms are subject to unpredictable flooding each year. With this in mind, I am pleased to support H.R. 1309 today.

H.R. 1309 reauthorizes the National Flood Insurance Program for 5 years, which would provide some certainty for the economy and to the national housing market. During a period of 9.2 percent unemployment, we need this certainty to boost the housing construction industry and to help create badly needed jobs.

Another reason I am supporting H.R. 1309 today is this legislation encourages greater private sector participation in the National Flood Insurance Program. Madam Chairman, if we are to reduce Federal spending and the size of government in our lives, we need to put every program on the table and analyze ways we can encourage the private sector to shoulder more government risk.

I am pleased to support H.R. 1309 and encourage my colleagues to vote in favor of this bill.

Ms. WATERS. Madam Chairwoman, I am so pleased to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER). He has a long history in this area, and the National Flood Insurance Act of 2004 bears his name. I appreciate his support.

Mr. BLUMENAUER. I appreciate the gentlelady's courtesy, as I appreciate her leadership and the leadership of Chair BIGGERT for bringing this important legislation to the floor.

It is true, I have been working in these areas for the last 10 years to make sure that the program is stable in the long term and encourages participation. Here we are raising rates where necessary to more accurately reflect flood risk.

For too long, homeowners in low-risk areas have been subsidizing those in high-risk areas, all backed by the Federal taxpayers. This bill will make the program closer to being actuarially sound. I appreciate the work done to deal with repetitively flooded properties, which comprise 2 percent of the properties insured by the program but are responsible for 30 percent of the claims.

We do people no favors by paying them to rebuild in the same way, in the same place, time and time again in harm's way. That's why I strongly support the amendment that has been included in the en bloc to reauthorize and streamline a number of mitigation programs targeted towards repetitive flood programs.

I authored, with my colleague Doug Bereuter of Nebraska, a program to provide mitigation assistance for ''severe repetitive loss properties.'' Unfortunately, since 2004, we found the program has been hard for FEMA to administer. When they have been able to get the program off the ground, it has allowed mitigation of almost 600 properties and saved $125 million. But if we are able to move forward here, allowing the program to work right, it can make a huge, long-term difference both in the lives of property owners as well as the fiscal stability of the program.

The Waters amendment addresses the administrative programs by combining three mitigation programs into one streamlined provision, removes red tape, and enables FEMA to more easily work with the communities to mitigate the properties.

It is important to note that it does not cost the taxpayers any money. The money for mitigation comes from the flood insurance fund made up of premium dollars, and each dollar spent on mitigation saves the fund far more in the future.

I appreciate the work of Mrs. BIGGERT, Ms. WATERS, Chair BACHUS, Ranking Member FRANK, and the committee to dig into the details here to ensure that FEMA will continue to have the tools it needs to address the properties that are costing the program the most. This is going to go a long way toward helping people out of the cycle of flooding and will help reduce the heavy drain that these properties have on the flood insurance program.

Mrs. BIGGERT. Madam Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. CANSECO), another great member of the Financial Services Committee.

Mr. CANSECO. I would like to thank Chairman BIGGERT for her leadership on this bill which makes vital reforms to a troubled program.

Madam Chairman, we are all aware of the importance of flood insurance. Back in Texas, floods are a common occurrence. And when they happen, they destroy homes, property, and even entire communities.

Yes, this program provides flood victims with the monetary compensation necessary to begin rebuilding their homes and their lives; yet we cannot forget that the only reason this program is still operating is because taxpayers have bailed it out as, by any measure, it has been insolvent.

That is why I am offering a very simple amendment to this bill that accomplishes three things:

Number one, it adds a provision to the bill that recognizes that while flood insurance is important to millions of Americans, this program is deeply in debt to the American taxpayer and there is currently no tangible plan to pay that money back;

Number two, it requires the administrator of FEMA to report back to the Congress within 6 months a 10-year plan to pay back the $18 billion it currently owes taxpayers;

Number three, it adds accountability to a program that is far from being fiscally sound.

Let's keep in mind that if the National Flood Insurance Program were an initiative solely of the private sector, it would have declared bankruptcy long ago. Remember also that the person propping up this program, the American taxpayer, is very weary and tired from continually being held responsible for bailing out government's failed initiatives. For years the taxpayer has been asked to pick up the tab for government programs no matter how effective or how solvent they may be. The argument was that we could hold off worrying about overspending until we reached a crisis point. Well, with each American family now responsible for over $120,000 of the Nation's debt and with annual trillion-plus dollar deficits, we are now at that crisis point.

Madam Chairman, my amendment and this bill are a step toward bringing fiscal responsibility back to this program. But, more importantly, it stands up for the American taxpayer whose voice has been ignored in Washington for too long.

Ms. WATERS. Madam Chairwoman, I am very pleased to yield 3 minutes to the gentleman from Georgia (Mr. DAVID SCOTT). Mr. SCOTT has been a strong advocate for his constituents, making sure that they could afford it. The installment part of this bill is all because of his work.

Mr. DAVID SCOTT of Georgia. Let me commend Ms. WATERS and Mrs. BIGGERT for their extraordinarily important work on this legislation that is very much needed. People all across this country are very grateful that we are finally bringing some help here.

Madam Chair, nothing is more devastating to a family, to a community, than to lose, almost in the flick of an eye, to lose your home to a flood—I mean, totally underwater—to lose businesses. This happened in my State in a devastating manner in 2009. It was the worst flood in modern history of the State of Georgia. We lost over 20,000 homes throughout the State, but no area was more impacted than my own congressional district. Ten people statewide lost their lives. There was a cost of over $500 million to lost businesses and homes. And of those 10 people who lost their lives, seven of them were from my congressional district.

□ 1300

To even make this more pointed, seven of them were from one county in my district. Douglas County and Cobb County were just devastated by this flood. The communities of Austell and Powder Springs and Douglasville and Lithia Springs and College Park had to all virtually start over. Imagine yourself as a child with your whole school under water. It was an extraordinarily unfortunate situation. To make matters worse, Madam Chair, most of these individuals had no flood insurance. The reason they didn't have any flood insurance was the cost of flood insurance and the requirement that you had to pay for your flood insurance in one lump sum.

Thanks to this committee, thanks to this bill, thanks to the work of Ms. WATERS, Mrs. BIGGERT, Chairman BACHUS, and Ranking Member FRANK, we have galvanized this. Thanks to the Federal Government and FEMA and now thanks to this bill and the amendment that you all were kind enough to adopt, which was mine, individuals can now purchase their flood insurance in monthly installments.

What a relief. What a great measure. This is what the American people expect of us—to come up here and immediately respond to a pressing need. This is a great day. It is a great bill. I want to thank all of you for working with us on this.

Madam Chairman, again, I want to thank Mrs. BIGGERT and Ms. WATERS for their excellent work, for a job well done. The people of this country thank us, too, as they can pay for their flood insurance in installments.

Mrs. BIGGERT. Madam Chairman, may I inquire of the Chair how much time both sides have remaining?

The CHAIR. The gentlewoman from Illinois has 20 minutes. The gentlewoman from California has 16½ minutes.

Mrs. BIGGERT. I yield 2 minutes to the gentlewoman from Michigan, CANDICE MILLER.

Mrs. MILLER of Michigan. I certainly thank the gentlelady for yielding some time to me.

I hate to rain on this bipartisan parade. I know that there's a bipartisan effort here, but I think this program needs to be eliminated, not to be reformed, and I would start with this basic premise:

Why in the world is the Federal Government in the flood insurance business?

If you read the Constitution, what does it say? Actually, in the preamble, it says the first and foremost responsibility of the Federal Government is to provide for the common defense. I can't find anywhere in that Constitution that says we're supposed to be in the Federal flood insurance business. I just can't find it. I'll tell you what. I know we're trying to reform what, I think, is an unnecessary boondoggle, ridiculous program, but rather than reforming it, as I say, I think it needs to be eliminated.

This program started in 1968, and we started writing policies in 1972. The FEMA administrator just recently testified, I believe before the Financial Services Committee, and said this Federal Flood Insurance Program is in debt. As has been mentioned here, it is almost $18 billion in debt. We have to raise the debt ceiling for the Federal Flood Insurance Program to about $25 billion, and the FEMA administrator is telling us that it is always going to be in debt—forever—massive debt.

The biggest issue facing Congress today is what we are going to do about the $14 trillion in debt we are currently faced with and raising the debt ceiling for that. So, as we are struggling with all of this, it is almost ludicrous to me that we are talking about raising the debt ceiling on a program that the Federal Government should not be involved in. One of the reasons it's not doing particularly well is—guess what? big surprise—the Federal Government is probably not the best insurance agent in the world. I mean, when you see that 1 percent of the policyholders is getting 40 percent of the claims, something is seriously wrong.

I am going to be offering amendments shortly to eliminate this program, and I'll speak more to it at that time.

Ms. WATERS. Madam Chairwoman, I yield 3 minutes to the gentleman from Texas (Mr. CUELLAR), who has worked very hard to make sure that we open up communications with communities that are located in areas where flood insurance rate maps have not been updated in 20 years.

Mr. CUELLAR. I want to thank Congresswoman WATERS for her courtesy and, of course, for her leadership on this issue. I also want to thank the subcommittee chairwoman, Mrs. BIGGERT, as well as Financial Services Chairman BACHUS and Ranking Member FRANK, for their bipartisan work on this piece of legislation.

I consulted with my colleagues on both sides of the aisle with regard to my amendment, and I believe this will be included en bloc with the other amendments.

Homeowners, businesses and regions throughout the country are hit by flood disasters every year, and I understand that, in such traumatic and desperate times, our communities must be prepared and equipped with the most up-to-date information and resources. I have repeatedly met with my constituents and district county judges, specifically Judge Eloy Vera from Starr County in South Texas, who experienced flooding issues recently. I learned that flood zone maps had not been updated for decades—decades—and that this hampered economic development when they were struck by a flood recently. The reasons for outdated flood maps vary, and maps from the 1970s are not uncommon, but there is a need to strengthen the relationships between entities that handle flood insurance maps to address regional concerns.

My amendment is simple and bipartisan. It encourages FEMA, State emergency agencies and localities to increase communications to resolve outstanding issues and to provide necessary, tailored information in an effort to decrease the prevalence of outdated flood zone maps. Flood-threatened areas with outdated flood zone maps are not only contradictory, but can result in serious problems for the region. Increasing FEMA, State and local relationships is a practical and effective way to assist communities and to ensure a steady process to modernize flood maps.

So we are ready when a disaster strikes, I urge support for my commonsense amendment that will be included en bloc.

Mrs. BIGGERT. I yield 1½ minutes to the gentleman from North Dakota (Mr. BERG).

Mr. BERG. This has been a very tough spring for North Dakota as well as for many other districts along these overflowing rivers. Unprecedented flooding has devastated many communities, leaving property destroyed, thousands without homes and hundreds of thousands of acres of farmland flooded. Roads and bridges are severely damaged as well.

This year's flooding is unusual both in the scope of its damage as well as in how long the flooding has lasted. Many North Dakotans purchased flood insurance to be prepared for the floods and to protect themselves and their families from the losses that these floods cause. Unfortunately, FEMA's current policy fails to account for a long-lasting flood event like the one that we've seen along the Missouri River.

I support the 30-day waiting period. If individuals purchase insurance 30 days before their properties are damaged, they should be protected regardless of when FEMA declares a ''flood in progress.'' That declaration could be counties or even States away or unexpectedly worsened by the Corps' decision to increase the outflows from dams along the flooded rivers upstream and to do this with very little warning.

The Terry-Berg amendment would protect these individuals who have played by the rules. We need responsible policies that help plan for the uncertainty of natural disasters. We also need to protect and help the people who have suffered when these disasters hit home. This amendment will do both. So I urge my colleagues to support these victims by voting in favor of this amendment.

□ 1310

Ms. WATERS. I am pleased to yield 3 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the ranking member for her work on this and the chairwoman of the subcommittee. Thank you for coming together and creating a process that allowed us to interact and work for our constituents.

Recognizing the gentleman from North Dakota, I have actually been on those flood flights that he's experiencing and am very appreciative of what he brought forward.

Today, I have a pretty simple amendment, I think, that addresses a real issue that we're having.

Over the past decade, there have been two real changes to the levee system that protects our communities in this country. The first, of course, was FEMA increasing the amount of information and the due diligence they're doing on recertification of levees. That's appropriate after Hurricane Katrina. Secondly, the private engineering firms that perform the recertifications are facing astronomically increased costs from their private insurers.

No one wants to insure a levee in a flood-prone area other than the rest of the community, thus the government. Together, these two changes have added increasingly high costs to our local communities as they're trying to protect their residents and keep their levees up to standards. It has created an extra burden on these communities that they can ill afford. This amendment offers a solution.

The Army Corps of Engineers stands ready and able to perform these levee certifications. In many cases, they built the levees. They can do it at a significantly reduced cost to the local communities. But under legislation passed in the 2000 Water Resources Development Act, State and local communities cannot hire the Corps of Engineers to do the work; they must first go to private contractors. It's exactly what happened in my town of Mankato, Minnesota. The north Mankato levee, which was designed and built by the Corps, needed to be recertified because of these changes. Because they couldn't use the Corps of Engineers, our local officials had to scramble and go out of their way to find a private contractor willing to do the work at an added cost of tens of thousands of dollars. At no fault to the private contractors, their insurance of liability was so high they had to pass the cost on to the local communities.

This approach was worked on in the last Congress with then-Representative BOOZMAN, now-Senator BOOZMAN. It has the support of the National Association of Counties, the National League of Cities, and the National Association of Towns and Townships. And here's the good thing: The Congressional Budget Office has certified this amendment will cost nothing to the taxpayers. Our taxpayers on the local level are paying far more as it is. This is a way to get it right, use the Corps that we already have, save taxpayers money, increase the efficiency of our levees, and reduce the claims that are made by this.

I urge my colleagues to support this piece of legislation, and once again I thank the committee for their outstanding work on the underlying bill.

Mrs. BIGGERT. Madam Chair, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I want to thank the gentlelady from Illinois and the entire Financial Services Committee for working with us on this amendment and recognizing the tragedy and disaster that's currently occurring along the Missouri River, with my constituents, North Dakota, South Dakota, Nebraska, Iowa, and Missouri.

What occurred here is that at the beginning, when they started realizing there was going to be flooding and the Corps had to run the traps through the dam system, one government agency started telling people downriver to buy flood insurance. Then FEMA steps in and sets a start-of-flood or flood-in-progress date that nullified what the constituents and people bought.

Now, what the Terry-Berg amendment does is, it would protect those individuals during a flood in progress if the individual has purchased flood insurance and has not sustained damage or loss of property within that 30-day window. That's the clear language of the policies that they were purchasing that had been nullified by FEMA's declaration. This amendment does not dispute the 30-day waiting period—which is designed to discourage people from waiting until a flood is imminent to buy insurance—it simply ensures American families who purchase flood insurance are covered if they sustain damage after the declaration of a flood in progress. This resolves the conflict caused between two government agencies and adheres to the intent, and I want to thank the Financial Services Committee for including this in the en bloc package.

Ms. WATERS. I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield 1½ minutes to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. I would like to thank the gentlewoman from Illinois for her leadership on this important issue.

I rise today in support of House Resolution 1309 and in support of my en bloc amendment that aims to provide more certainty to the National Flood Insurance Program.

My amendment calls on FEMA to take into account the effects and implications of weather conditions when making a flood-in-progress determination. Currently, FEMA's flood determinations are made independently by a FEMA adjustor, allowing a significant amount of room for subjectivity. I appreciate the need for FEMA's flexibility, but taking a more formulaic approach to flood events will provide increased certainty to our river communities. My amendment would also require FEMA to review the process for providing public notification of a flood event.

When the Missouri River started flooding earlier this summer, FEMA was delinquent in reporting their flood-in-progress determination to the public. That determination was made June 1 but was not announced until June 6. For 5 days, we had no way of knowing that FEMA had made this determination, impacting policyholders and new homebuyers.

We believe that FEMA must look at the policies in place and make recommendations for a more objective and precise determination process, along with public notification standards that will keep policyholders better informed. It is critical that FEMA develop enhanced procedures for flood determinations and communications with the public.

I urge support for my amendment and for the underlying bill.

Ms. WATERS. I continue to reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield myself such time as I may consume.

With the NFIP's authorization set to expire on September 30, it's really critical that the House pass the bill and work with the Senate to shape a final commonsense reform measure. We have to avoid a recurrence of what happened in the last Congress when the program lapsed and caused turmoil in a recovering housing market. Houses couldn't be closed if they didn't have insurance and if they had a mortgage. At that time, it was simply extended without any reforms. So if there is no viable private insurance market, we're going to have to pay more. So I would suggest that we really look forward to passing this bill.

Madam Chair, I now yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I would like to thank my good friend from Illinois for the time. She has been a wonderful advocate on behalf of homeowners and renters of the United States, and especially in my area.

Madam Chairman, I rise in support of this bill to reauthorize the National Flood Insurance Program as administered by FEMA through the year 2016.

Granted, the bill before us is not perfect, but homeowners and businesses in my congressional district—that stretches from Miami Beach all the way down to Key West—deserve to see stability brought to this vital program.

Since September of 2008, the NFIP has had 11 short-term extensions, and just last year alone the program was allowed to lapse three times. That is inexcusable. These lapses meant that FEMA was not able to write new policies, renew expiring policies, or increase coverage limits. And for a program that insures over 90 percent of all flood insurance policies nationwide—40 percent of those being in my home State of Florida—this is rightly inexcusable. Just as bad, for each of the 53 days that the NFIP was lapsed, over 1,400 homebuyers who wanted to purchase homes located in floodplains were unable to close on their home purchases.

□ 1320

It is necessary to demonstrate these irresponsible lapses will not occur again; and those of us in south Florida and the Miami Beach area to the Keys will stay prepared for any event that could occur during hurricane season, which is upon us again, and we need to know that the NFIP is there to help us recover. Let us not let another lapse happen right in the middle of hurricane season.

I urge my colleagues to join me in voting for this much-needed, way overdue important reauthorization.

I thank the gentlewoman for the time, and let's pass this bill.

Ms. WATERS. I continue to reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield 9 minutes to our distinguished chairman of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentlewoman.

Madam Chairman, this month we're all focused on the debt and the deficit and our negotiations to try to balance the budget. So it's with great pride that I tell the House that all 54 members of the Financial Services Committee, both Republicans and Democrats, have unanimously passed out of the committee a bipartisan piece of legislation which will save the U.S. Government and the American taxpayers $4.2 billion over the next 10 years. It does that without decreasing any of the benefits of the program. It does it in some commonsense ways.

One is that premiums will be actuarially sound. They will be based on the risk, and we will be eliminating subsidies to bring the program into balance. We further insulate taxpayers from losses by adding a reinsurance provision whereby part of the premium that people pay, just as if they do on their house or for wind coverage if they have a home on the beach—part of it is in private insurance laid off into reinsurance. The program today, if you eat up the reserves, then the Treasury is responsible for making up the difference.

After this legislation goes into effect, there will be reinsurance that will be purchased, and the taxpayer will only be exposed after risk-based premiums are exhausted, reinsurance in addition to that is exhausted. So we reduce taxpayer exposure to a tremendous extent.

Also, people have said, why is there not private insurance? Well, we have a provision in here, supported by both parties, that if the private market comes in and offers insurance for the same coverage that people will be free to choose that coverage as opposed to the national flood insurance offered by the government.

You've heard the gentlelady from Florida express her concern that 11 times this legislation has been extended. Where it has been extended, it has retarded economic growth along our coastlines, along our rivers; and you can actually imagine that a lot of the economic activity and the job creation in our country comes in these areas.

And today I think there would be no one in the House that says we want to put the economies of those areas on hold for 3 months or 6 months. We want the economy to have much fewer problems. We don't want to stop home sales; we don't want to stop commercial developments in those areas.

There are other shortcomings with the present program. One is there are disputes over whether or not land should be included within the floodplains, whether coverage should be offered. We make improvements there. We returned to a program several years ago where there's a technical advisory committee that, in addition to FEMA, will make these decisions, and it will be a more professionally based decision. Those areas which are spending money, local areas like Los Angeles, California, Ms. WATERS' district; along the Mississippi River, where local governments have come together and made expenditures to protect against floods, there's acknowledgment of their work, and the phase-in period for them is extended to encourage more of that.

All in all, I think that I would just go back to where I started and say that the Financial Services Committee is no different from any other committee in this House. There are conservatives, there are liberals, there are moderates that serve on that committee, both Republicans and Democrats. But all 54 members—let me stress that again—all 54 members of the Financial Services Committee voted unanimously for this legislation. And we are prepared in our debate as we go forward to accept amendments offered by several other Members, both Democrats and Republicans, to accept those amendments where it does not do violence to the program, where it doesn't increase costs or exposure to the taxpayer.

All in all, I want to congratulate the chairman of the subcommittee, who produced this legislation. I think our constituents for months have been saying to the Congress, please set aside your political differences, please try to work together, please try to cooperate when you can do so without violating your principles.

And Mrs. BIGGERT and Ms. WATERS, the subcommittee ranking member on her side, they put aside their differences. I worked with Chairman FRANK. We had hearings, we had markups, and we produced something that I thought was not possible, and that's a bill that we all think will improve the program tremendously, will reduce the cost and reduce taxpayer exposure and really make the mapping better and the protection for our communities in flood-prone areas work more effectively.

Ms. WATERS. Madam Chair, I yield myself the balance of my time to close.

I am very pleased and proud to be a cosponsor of this tremendous comprehensive legislation.

I would like to thank the chairwoman from Illinois (Mrs. BIGGERT) for her work, her leadership, and her cooperation. And I would like to thank both the chairman of our committee, Mr. BACHUS, and the ranking member, Mr. FRANK, for their support and their cooperation on this legislation.

□ 1330

You heard Mr. BACHUS, our chairman, recount for you that 54 members of the committee unanimously voted to support this legislation. That is pretty unheard of. And I think that the committee, the entire committee is to be congratulated for the tremendous work that we all put in to making sure that we have comprehensive legislation that would afford protection for our citizens and, at the same time, as was mentioned, reduce the costs, but recognize that this has been a long time in coming.

So as a cosponsor of this bill, H.R. 1309, the Flood Insurance Reform Act of 2011, this bipartisan effort that has brought us to this point, I would like to say that all of the Members who have spoken today, for the most part, on both sides of the aisle, have been complimentary of this comprehensive work. Of course, we did have one Member who disagreed with government's involvement in this flood insurance program. That's a rather radical view. I think most Members of this Congress believe that we have a responsibility to give support to those who are the victims of natural disaster, disasters that have been caused through, of course, no fault of their own. They're pleased that they have an opportunity to get some protection, with the help of their government, and to make sure that their homes and their families can be supported at a time that can be very traumatic in their lives.

Again, I will have to remind all of my colleagues that unfortunately the lack of a long-term authorization has placed the flood insurance program at risk. The program lapsed three times last year. These lapses meant that FEMA was not able to write new policies, renew expiring policies, or increase coverage limits.

Today, you have heard the Members of Congress again on both sides of the aisle give appreciation for the mapping reform that we have included in this legislation, for the outreach that we have included in this en bloc amendment that would allow the constituents of all of our districts to understand better what FEMA is doing, how it's doing, and how they can be a part of it. I am also pleased that included in this en bloc amendment is protection for small businesses. And I am very, very pleased that we have seen this as an effort not only to reauthorize, but to correct some of the weaknesses in the program and to strengthen the program in general.

With that, Madam Chair, I would ask for support for this bill. I know that there are some amendments that are being introduced a little bit later on; and I think that, again, you will see bipartisan support for most of these amendments. And I look forward to completing the bill with the amendments and to sending this bill on, where I believe we will have like support on the Senate side, and eventually to the President's desk. It's about time. I think that this country's going to be better off for it.

With that, I yield back the balance of my time.

Mrs. BIGGERT. Madam Chairman, I urge my colleagues to support H.R. 1309. It's a bill to reform and reauthorize the National Flood Insurance Program. I think that we have had a great debate, and it certainly is a pleasure to have a bill that has such bipartisan support. I think it's such an important bill.

It's going to enact a series of reforms designed to improve NFIP's financial stability, reduce the burden on taxpayers, restore integrity to the FEMA mapping system, and explore ways to increase the private market participation and help bring certainty to the housing market. It's a $4.2 billion revenue raiser. And I think that that's very important too, that we will really be able to change the scope of this. If we go back to 1968 when this started, there was no private insurance, and this is why this happened. And we have to keep it that way, or we will pay so much more for disaster relief when this happens to so many people who live in floodplains.

I urge my colleagues to support the bill, and I really thank the members of the Financial Services Committee, particularly Ms. WATERS and Mr. FRANK, and on our side Mr. BACHUS, the chairman.

SMARTERSAFER.ORG,
*Washington, DC, June 30, 2011.*

Hon. JOHN A. BOEHNER,
*Speaker of the House of Representatives, U.S. Capitol, Washington, DC.*

Hon. NANCY PELOSI,
*Minority Leader, U.S. House of Representatives, U.S. Capitol, Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: SmarterSafer.org, a diverse coalition of taxpayer advocates, environmental organizations and insurance interests, urges you to quickly take up comprehensive flood insurance reform, like H.R. 1309, a bill that extends the program for five years and makes meaningful reform to the program.

Congress must act quickly to reauthorize the program before it expires in September, and must couple any reauthorization with meaningful reforms. The flood program is almost $18 billion in debt to the U.S. Treasury, and that amount will likely grow as a result of recent flooding. To ensure the viability of the program so that those at risk can rebuild after a disaster, to protect taxpayers, and to protect environmentally sensitive areas, Congress must make significant reforms to the flood insurance program.

A comprehensive bill, like H.R. 1309, which was the subject of significant hearings and debate, is needed. When you consider this bill, we ask that you look at adopting changes to do the following: phase out all subsidies, extend and streamline the mitigation grants program including making permanent the severe repetitive loss mitigation program; ensure the program is not expanded to additional coverages; and allow for no mapping or mandatory purchase delays. Though we believe that H.R. 1309 is a step in the right direction, with these changes you will be putting the flood program on a sustainable path. Under H.R. 1309 flood maps will be up to date and accurate; subsidies in the program will be phased out; and FEMA is authorized to purchase reinsurance to cover losses and protect taxpayers. We urge you to schedule this bill for consideration.

Sincerely,

Environmental Organizations—American Rivers, Ceres, Defenders of Wildlife, Environmental Defense Fund, National Wildlife Federation, Republicans for Environmental Protection, Sierra Club, The Nature Conservancy; Consumer and Taxpayer Advocates—American Conservative Union, Americans for Prosperity, Americans for Tax Reform, Center on Risk, Regulation, and Markets—The Heartland Institute, Competitive Enterprise Institute.

Insurer Interests—Allianz of America, Association of Bermuda Insurers and Reinsurers, Chubb, Liberty Mutual Group, National Association of Mutual Insurance Companies, National Flood Determination Association, Reinsurance Association of America, Swiss Re, USAA; Housing—National Low Income Housing Coalition, National Leased Housing Association; Allied Organizations—American Consumer Institute, Friends of the Earth, International Code Council, National Fire Protection Association, Taxpayers for Common Sense, Zurich.

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MAY 27, 2011.

Hon. JOHN A. BOEHNER,
*Speaker of the House of Representatives, U.S. Capitol, Washington, DC.*

Hon. NANCY PELOSI,
*Minority Leader, U.S. House of Representatives, U.S. Capitol, Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the undersigned associations, we are writing to respectfully urge you to schedule floor consideration of H.R. 1309, the Flood Insurance Reform Act of 2011 at the first available opportunity. Significant reform and long-term reauthorization of the National Flood Insurance Program (NFIP) is critically important to the citizens and taxpayers who rely on this vital flood protection program.

Without action, on September 30, 2011, the NFIP authorization will expire. More than 5.6 million policyholders depend on the NFIP as their main source of protection against flooding, the most common natural disaster in the United States. A long-term extension is necessary to provide certainty to recovering real estate, insurance and financial markets and every participant in the economy that the NFIP effects—homeowners, small business owners, builders, real estate professionals, mortgage lenders, investors, insurance agents and insurance companies. All these entities depend on the program for flood damage protection.

H.R. 1309 includes both a long-term reauthorization and important reforms that will optimize the current program with important coverage and rate reforms, needed improvements to the floodplain mapping and appeals processes, and other key reforms which would encourage program participation and put the NFIP back on the path to sound financial footing.

As you know, H.R. 1309 was favorably reported by the House Financial Services Committee with unanimous, bipartisan support. We thank the bill sponsors and the Committee for their leadership on this important issue. We respectfully urge you to work for quick passage of this legislation by the full House.

Sincerely,

American Bankers Association, American Bankers Insurers Association, American Financial Services Association, American Insurance Association, American Land Title Association, American Resort Development Association, American Securitization Forum, Chamber Southwest LA, Commercial Real Estate Finance Council, Consumer Bankers Association, Council of Insurance Agents and Brokers, Credit Union National Association, The Financial Services Roundtable, Independent Community Bankers of America.

Independent Insurance Agents and Brokers of America, International Council of Shopping Centers, Mortgage Bankers Association, National Association of Federal Credit Unions, National Association of Home Builders, National Association of Mutual Insurance Companies, National Association of REALTORS®, National Apartment Association, National Multi-Housing Council, National Ready Mixed Concrete Association, Property Casualty Insurers Association of America, The Real Estate Roundtable, Reinsurance Association of America, Risk and Insurance Management Society, Inc.

I yield the balance of my time to the gentleman from Illinois (Mr. DOLD).

The CHAIR. The gentleman is recognized for 1 minute.

Mr. DOLD. I thank the gentlelady for yielding.

I do want to talk about the flood insurance program, one that I think enjoys great bipartisan support. I want to thank the chairwoman for her guidance and, obviously, Ms. WATERS for her leadership as well.

Five million, actually, residential and commercial properties across the land rely on this flood insurance. They depend on it for stability. And we have to recognize that there, indeed, are problems. We have debt; there is no question about that. It's undercapitalized, which is placing the taxpayers at risk. But this bill would minimize taxpayer risk by making the program more self-sufficient over time by expanding the private sector's role while allowing—and not allowing for coverage gaps.

It also moves toward actuarially sound rates and creates a new flooding map, which creates a platform upon which risk can be measured and priced by the private sector. This is exactly the kind of solution that we need to have here in the United States Congress, to be able to still provide coverage in areas that need it so desperately and yet move us gradually over to actuarially sound rates.

With that, I thank the gentlelady for her leadership.

Mr. GENE GREEN of Texas. Madam Chair, I rise today in support of the Flood Insurance Reform Act, H.R. 1309.

Flood insurance is critical for homeowners in our area who rely on this program to protect their hard-earned investments in their homes. The National Flood Insurance Program is the primary source of flood insurance for Americans and people in our district. About 5.6 million homes and businesses nationwide rely on NFIP.

In our district, in Houston and East Harris County, Texas, flood insurance is a top priority. The Harris County Flood Control District does an impressive job of implementing new flood control measures in the way of maintaining bayous, building retention basins, and implementing drainage features, but even the best flood control will be defeated by a particularly bad storm.

While I support the underlying bill, I am especially supportive of measures that I first advocated for in 2007. During Floor Debate of the 2007 bill, I offered an amendment that was adopted, and it is also included in the bill we are debating today.

Our language provides for a limited, five-year phase-in of flood insurance premiums for low-income homeowners or renters whose primary residence is placed within a flood plain through an updating of flood insurance program maps. These homes can be valued at no more than 75 percent of the median home value for the state in which the property is located. This is important to residents of our district, who need the stability and stability that this provision allows.

I want to thank Chairman BACHUS and Ranking Member FRANK for their leadership on this issue and for including this important provision.

Mr. VAN HOLLEN. Madam Chair, I rise in support of the Flood Insurance Reform Act of 2011 (H.R. 1309).

The National Flood Insurance Program is the primary source of reliable and affordable flood insurance for over 5.6 million homes and businesses. Today's bipartisan legislation reauthorizes the program for five years through FY 2016 and contains numerous reforms designed to put the program on firmer financial footing.

The bill is supported by the National Association of Realtors, the National Association of Homebuilders, the American Insurance Association, the Property Casualty Insurers Association and the Independent Insurance Agents and Brokers of America, and in my judgment, strikes the proper balance between providing Americans with the flood insurance protection they need at a price taxpayers can afford.

The CHAIR. All time for general debate has expired.

Mrs. BIGGERT. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KLINE) having assumed the chair, Ms. FOXX, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, had come to no resolution thereon.

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1340

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Ms. FOXX (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Monday, July 11, 2011, the bill had been read through page 24, line 23.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

An amendment by Mr. SESSIONS of Texas.

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. MARKEY of Massachusetts.

Amendment No. 5 by Mr. LAMBORN of Colorado.

An amendment by Mr. CONNOLLY of Virginia.

An amendment by Mr. MILLER of North Carolina.

An amendment by Mr. BROUN of Georgia.

An amendment by Mr. WELCH of Vermont.

An amendment by Mr. POMPEO of Kansas.

An amendment by Mr. TONKO of New York.

An amendment by Mr. GARRETT of New Jersey.

An amendment by Mr. WU of Oregon.

An amendment by Mr. MCCLINTOCK of California.

An amendment by Mr. SCHIFF of California.

An amendment by Mr. GARAMENDI of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 196, not voting 11, as follows:

[Roll No. 539]

AYES—224

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Connolly (VA)
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—196

Ackerman
Altmire
Andrews
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—11

Baca
Deutch
Giffords
Heinrich
Hinchey
Holden
Hoyer
Luján
Pearce
Pelosi
Pingree (ME)

□ 1406

Messrs. KEATING, HIMES, and DOGGETT changed their vote from ''aye'' to ''no.''

Mr. SOUTHERLAND changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR (Mr. LANDRY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 250, not voting 11, as follows:

[Roll No. 540]

AYES—170

Ackerman
Andrews
Baldwin
Barletta
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hayworth
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Woolsey
Wu
Yarmuth

NOES—250

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)

Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Landry
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Baca
Bishop (UT)
Deutch
Giffords
Heinrich
Hinchey
Holden
Hoyer
Luján
Pearce
Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1411

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 154, noes 266, not voting 11, as follows:

[Roll No. 541]

AYES—154

Ackerman
Andrews
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Garamendi
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck
Higgins
Himes
Hirono
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—266

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Baca
Barletta
Canseco
Deutch
Giffords
Heinrich
Hinchey
Holden
Hoyer
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in the vote.

□ 1414

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BARLETTA. Mr. Chair, on rollcall No. 541, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 5 OFFERED BY MR. LAMBORN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. LAMBORN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 259, not voting 8, as follows:

[Roll No. 542]

AYES—164

Adams
Aderholt
Akin
Alexander
Amash
Bachmann
Bachus
Benishek
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Bucshon
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Cantor
Capito
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Culberson
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Flake
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Hall
Hanna
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Landry
Lankford
Latta
Lewis (CA)
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Reichert
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Royce
Runyan
Ryan (WI)
Scalise
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tipton
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Young (IN)

NOES—259

Ackerman
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Buerkle
Butterfield
Camp
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Harper
Hastings (FL)
Hastings (WA)
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)

NOT VOTING—8

Deutch
Giffords
Heinrich
Hinchey
Holden
Hoyer
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. CAMPBELL) (during the vote). There is 1 minute remaining in this vote.

□ 1418

Mr. ROYCE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 9, as follows:

[Roll No. 543]

AYES—173

Ackerman
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Camp
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Dold
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Himes
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—249

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)

Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Larson (CT)
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
LaTourette
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (during the vote). There is 1 minute remaining.

□ 1423

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MILLER OF NORTH CAROLINA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 244, not voting 8, as follows:

[Roll No. 544]

AYES—179

Ackerman
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Dold
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Fortenberry
Frank (MA)
Fudge
Garamendi
Gibson
Green, Al
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Higgins
Himes
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Lamborn
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—244

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1427

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 131, noes 292, not voting 8, as follows:

[Roll No. 545]

AYES—131

Adams
Aderholt
Akin
Amash
Bachmann
Benishek
Bishop (UT)
Black
Blackburn
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cantor
Cassidy

Chabot
Chaffetz
Conaway
Cravaack
Crawford
Culberson
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Hall
Harris
Hartzler
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kingston
Kline
Labrador
Lamborn
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nugent
Nunes
Paul
Pence
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Rehberg
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stearns
Stutzman
Thornberry
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Woodall
Young (AK)
Young (IN)

NOES—292

Ackerman
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (FL)

NOT VOTING—8

Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1430

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WELCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. WELCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 123, noes 300, not voting 8, as follows:

[Roll No. 546]

AYES—123

Ackerman
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capuano
Cardoza
Carnahan
Carson (IN)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Costello
Courtney
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Fattah
Filner
Frank (MA)
Fudge
Gibson
Gonzalez
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lowey
Lynch
Maloney
Markey
McCarthy (NY)
McDermott
McGovern
Meeks
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott, David
Serrano
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Waters
Watt
Waxman
Welch
Woolsey
Wu
Yarmuth

NOES—300

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee

Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tsongas
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1434

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POMPEO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 127, noes 296, not voting 8, as follows:

[Roll No. 547]

AYES—127

Adams
Aderholt
Akin
Amash
Bachmann
Barton (TX)
Benishek
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Conaway
Cravaack
Crawford
Culberson
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Guinta
Hall
Harris
Hartzler
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kingston
Kline
Labrador
Lamborn
Lankford
Latta
Long
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Neugebauer
Nugent
Nunes
Paul
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Rehberg
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Thornberry
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Woodall
Young (AK)
Young (IN)

NOES—296

Ackerman
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huizenga (MI)
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (FL)

NOT VOTING—8

Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1438

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 273, not voting 9, as follows:

[Roll No. 548]

AYES—149

Ackerman
Baca
Baldwin
Barletta
Bass (CA)
Bass (NH)
Becerra
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Fattah
Filner
Frank (MA)
Fudge
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Guinta
Gutierrez
Hanna
Hastings (FL)
Higgins
Himes
Hirono
Hochul
Holt
Hoyer
Inslee
Israel
Jackson (IL)

Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lowey
Lynch
Maloney
Markey
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
Meehan
Meeks
Michaud
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reed
Renacci
Reyes
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Serrano
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Tierney
Tonko
Towns
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wu
Yarmuth

NOES—273

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matsui
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rehberg
Reichert
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tsongas
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Brady (TX)
Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1441

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 274, not voting 8, as follows:

[Roll No. 549]

AYES—149

Adams
Akin
Alexander
Amash
Bachmann
Barton (TX)
Benishek
Berg
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Conaway
Cravaack
Crawford
Denham
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Griffin (AR)
Guinta
Hall
Harris
Hartzler
Hayworth
Hensarling
Herger
Herrera Beutler
Honda
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Lankford
Latta
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Rehberg
Ribble
Rigell
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stutzman
Thornberry
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (IN)

NOES—274

Ackerman
Aderholt
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Heck
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Hoyer
Hultgren
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta

Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—8

Deutch
Giffords
Heinrich
Hinchey
Holden
Landry
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1445

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WU

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. WU) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 228, not voting 7, as follows:

[Roll No. 550]

AYES—196

Ackerman
Altmire
Andrews
Baca
Baldwin
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
Harris
Hastings (FL)
Heck
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Jones
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Marino
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHenry
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Wasserman Schultz
Waters
Waxman
Welch
Whitfield
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (AK)

NOES—228

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pence
Peterson
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuler
Shuster
Simpson
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—7

Deutch
Giffords
Heinrich
Hinchey
Holden
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. LANDRY) (during the vote). One minute remains in this vote.

□ 1449

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 305, not voting 7, as follows:

[Roll No. 551]

AYES—119

Akin
Alexander
Amash
Bachmann
Barton (TX)
Benishek
Berg
Bishop (UT)
Blackburn
Brady (TX)
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Conaway
Cravaack
Crawford
Culberson
DesJarlais
Dreier
Duncan (SC)
Duncan (TN)
Farenthold
Flake
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson, Sam
Jordan
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Long
Luetkemeyer
Mack
Manzullo
Marchant
Marino
Matheson
McClintock
McHenry
McKinley
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nunes
Paul
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Rehberg
Ribble
Roe (TN)
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stivers
Stutzman
Thornberry
Walberg

Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—305

Ackerman
Adams
Aderholt
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Green, Al
Green, Gene
Grijalva
Guinta
Gutierrez
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lummis
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Nugent
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—7

Deutch
Giffords
Heinrich
Hinchey
Holden
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1453

Mr. FATTAH changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCHIFF

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SCHIFF) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 257, not voting 7, as follows:

[Roll No. 552]

AYES—167

Ackerman
Adams
Aderholt
Altmire
Austria
Barrow
Bass (CA)
Berkley
Berman
Bilirakis
Bishop (UT)
Blumenauer
Bonner
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Burgess
Calvert
Campbell
Capps
Carney
Carson (IN)
Carter
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Cohen
Conaway
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeGette
DesJarlais
Dicks
Doggett
Dreier
Duffy
Edwards
Engel
Eshoo
Farenthold
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gardner
Gonzalez
Gosar
Granger
Green, Al
Green, Gene
Griffith (VA)
Gutierrez
Hall
Hanabusa
Harris
Hastings (FL)
Higgins
Himes
Hirono
Holt
Honda
Hoyer
Hurt
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (OH)
Johnson, Sam
Kinzinger (IL)
Kissell
Lamborn
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Levin
Lewis (GA)
Lipinski
Manzullo
Matsui
McCollum
McGovern
McNerney
Meeks
Michaud
Miller (MI)
Miller (NC)
Moore
Napolitano
Neal
Nugent
Olson
Olver
Palazzo
Pelosi
Perlmutter
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Posey
Price (GA)
Price (NC)
Rangel
Reichert
Renacci
Richardson
Rivera
Rooney
Ross (FL)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Scalise
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Sensenbrenner
Sessions
Sewell
Sherman
Shuler
Smith (TX)
Smith (WA)
Speier
Stearns
Stivers
Stutzman
Thompson (CA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Wu
Yarmuth
Yoder
Young (IN)

NOES—257

Akin
Alexander
Amash
Andrews
Baca
Bachmann
Bachus
Baldwin
Barletta
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Black
Blackburn
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Broun (GA)
Bucshon
Buerkle
Burton (IN)
Butterfield
Camp
Canseco
Cantor
Capito
Capuano
Cardoza
Carnahan
Cassidy
Chabot
Chaffetz
Chandler
Clay
Clyburn
Coble
Coffman (CO)
Cole
Conyers
Costa
Cravaack
Crawford
Crenshaw
Critz
Davis (KY)
DeFazio
DeLauro
Denham
Dent
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Inslee
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kline
Kucinich
Labrador
Lance
Landry
Lankford
Latham
Latta
Lee (CA)
Lewis (CA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nunes
Nunnelee
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Peters
Peterson
Petri
Pompeo
Quayle
Quigley
Rahall
Reed
Rehberg
Reyes
Ribble
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Serrano
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Southerland
Stark
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)

Tipton
Upton
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Young (AK)
Young (FL)

NOT VOTING—7

Deutch
Giffords
Heinrich
Hinchey
Holden
Luján
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1456

Ms. LEE changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 145, noes 276, not voting 10, as follows:

[Roll No. 553]

AYES—145

Ackerman
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clyburn
Cohen
Connolly (VA)
Conyers
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
Dicks
Dingell
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Himes
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—276

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Cummings
Deutch
Giffords
Heinrich
Hinchey
Holden
Keating
Luján
Palazzo
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1500

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PALAZZO. Mr. Chair, on rollcall No. 553 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOHNSON of Ohio) having assumed the chair, Mr. LANDRY, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

## GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2354.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

## FLOOD INSURANCE REFORM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 340 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1309.

□ 1503

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, with Mr. LANDRY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1309

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

***SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Flood Insurance Reform Act of 2011''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

*Sec. 1. Short title and table of contents.*
*Sec. 2. Extensions.*
*Sec. 3. Mandatory purchase.*
*Sec. 4. Reforms of coverage terms.*
*Sec. 5. Reforms of premium rates.*
*Sec. 6. Technical Mapping Advisory Council.*
*Sec. 7. FEMA incorporation of new mapping protocols.*
*Sec. 8. Treatment of levees.*
*Sec. 9. Privatization initiatives.*
*Sec. 10. FEMA annual report on insurance program.*
*Sec. 11. Actuarial rates for severe repetitive loss properties refusing mitigation or purchase offers.*
*Sec. 12. Mitigation assistance.*
*Sec. 13. Grants for direct funding of mitigation activities for individual repetitive claims properties.*
*Sec. 14. Notification to homeowners regarding mandatory purchase requirement applicability and rate phase-ins.*
*Sec. 15. Notification of establishment of flood elevations.*
*Sec. 16. Notification to tenants of availability of contents insurance.*
*Sec. 17. Notification to policy holders regarding direct management of policy by FEMA.*
*Sec. 18. Notice of availability of flood insurance and escrow in RESPA good faith estimate.*
*Sec. 19. Reimbursement for costs incurred by homeowners obtaining letters of map amendment.*
*Sec. 20. Treatment of swimming pool enclosures outside of hurricane season.*
*Sec. 21. CDBG eligibility for flood insurance outreach activities and community building code administration grants.*
*Sec. 22. Technical corrections.*
*Sec. 23. Report on Write-Your-Own Program.*
*Sec. 24. Studies of voluntary community-based flood insurance options.*
*Sec. 25. Report on inclusion of building codes in floodplain management criteria.*
*Sec. 26. Study on graduated risk.*
*Sec. 27. No cause of action.*

***SEC. 2. EXTENSIONS.***

*(a) EXTENSION OF PROGRAM.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking ''September 30, 2011'' and inserting ''September 30, 2016''.*

*(b) EXTENSION OF FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking ''September 30, 2011'' and inserting ''September 30, 2016''.*

***SEC. 3. MANDATORY PURCHASE.***

*(a) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—*

*(1) IN GENERAL.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by adding at the end the following new subsection:*

*''(i) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—*

*''(1) FINDING BY ADMINISTRATOR THAT AREA IS AN ELIGIBLE AREA.—For any area, upon a request submitted to the Administrator by a local government authority having jurisdiction over any portion of the area, the Administrator shall make a finding of whether the area is an eligible area under paragraph (3). If the Administrator finds that such area is an eligible area, the Administrator shall, in the discretion of the Administrator, designate a period during which such finding shall be effective, which shall not be longer in duration than 12 months.*

*''(2) SUSPENSION OF MANDATORY PURCHASE REQUIREMENT.—If the Administrator makes a finding under paragraph (1) that an area is an eligible area under paragraph (3), during the period specified in the finding, the designation of such eligible area as an area having special flood hazards shall not be effective for purposes of subsection (a), (b), and (e) of this section, and section 202(a) of this Act. Nothing in this paragraph may be construed to prevent any lender, servicer, regulated lending institution, Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, at the discretion of such entity, from requiring the purchase of flood insurance coverage in connection with the making, increasing, extending, or renewing of a loan secured by improved real estate or a mobile home located or to be located in such eligible area during such period or a lender or servicer from purchasing coverage on behalf of a borrower pursuant to subsection (e).*

*''(3) ELIGIBLE AREAS.—An eligible area under this paragraph is an area that is designated or will, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after the date of the enactment of the Flood Insurance Reform Act of 2011, become designated as an area having special flood hazards and that meets any one of the following 3 requirements:*

*''(A) AREAS WITH NO HISTORY OF SPECIAL FLOOD HAZARDS.—The area does not include any area that has ever previously been designated as an area having special flood hazards.*

*''(B) AREAS WITH FLOOD PROTECTION SYSTEMS UNDER IMPROVEMENTS.—The area was intended to be protected by a flood protection system—*

*''(i) that has been decertified, or is required to be certified, as providing protection for the 100-year frequency flood standard;*

*''(ii) that is being improved, constructed, or reconstructed; and*

*''(iii) for which the Administrator has determined measurable progress toward completion of such improvement, construction, reconstruction is being made and toward securing financial commitments sufficient to fund such completion.*

*''(C) AREAS FOR WHICH APPEAL HAS BEEN FILED.—An area for which a community has appealed—*

*''(i) designation of the area as having special flood hazards in a timely manner under section 1363; or*

*''(ii) any decertification or deaccreditation of a dam, levee, or other flood protection system or the level of protection afforded by a dam, levee, or system.*

*''(4) EXTENSION OF DELAY.—Upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, the Administrator may extend the period during which a finding under paragraph (1) shall be effective, except that—*

*''(A) each such extension under this paragraph shall not be for a period exceeding 12 months; and*

*''(B) for any area, the cumulative number of such extensions may not exceed 2.*

*''(5) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect the applicability of a designation of any area as an area having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (2).*

*''(6) REPORTS.—The Administrator shall, in each annual report submitted pursuant to section 1320, include information identifying each finding under paragraph (1) by the Administrator during the preceding year that an area is an area having special flood hazards, the basis for each such finding, any extensions pursuant to paragraph (4) of the periods of effectiveness of such findings, and the reasons for such extensions.''.*

*(2) NO REFUNDS.—Nothing in this subsection or the amendments made by this subsection may be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by paragraph (1).*

*(b) TERMINATION OF FORCE-PLACED INSURANCE.—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—*

*(1) in paragraph (2), by striking ''insurance.'' and inserting ''insurance, including premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount.'';*

*(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and 6), respectively; and*

*(3) by inserting after paragraph (2) the following new paragraphs:*

*''(3) TERMINATION OF FORCE-PLACED INSURANCE.—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower's existing flood insurance coverage, the lender or servicer shall—*

*''(A) terminate the force-placed insurance; and*

*''(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower's flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.*

*''(4) SUFFICIENCY OF DEMONSTRATION.—For purposes of confirming a borrower's existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.''.*

*(c) USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''lending institutions not to make'' and inserting ''lending institutions—*

*''(A) not to make'';*

*(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking ''less.'' and inserting ''less; and''; and*

*(C) by adding at the end the following new subparagraph:*

*''(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.'';*

*(2) in paragraph (2), by inserting after ''provided in paragraph (1).'' the following new sentence: ''Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.'';*

*(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: ''The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.''; and*

*(4) by adding at the end the following new paragraph:*

*''(5) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term 'private flood insurance' means a contract for flood insurance coverage allowed for sale under the laws of any State.''.*

***SEC. 4. REFORMS OF COVERAGE TERMS.***

*(a) MINIMUM DEDUCTIBLES FOR CLAIMS.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—*

*(1) by striking ''The Director is'' and inserting the following: ''(a) IN GENERAL.—The Administrator is''; and*

*(2) by adding at the end the following:*

*''(b) MINIMUM ANNUAL DEDUCTIBLES.—*

*''(1) SUBSIDIZED RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, and for which the chargeable rate for such coverage is less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be $2,000.*

*''(2) ACTUARIAL RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, for which the chargeable rate for such coverage is not less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be $1,000.''.*

*(b) CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.—Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—*

*(1) in paragraph (2)—*

*(A) by striking ''in the case of any residential property'' and inserting ''in the case of any residential building designed for the occupancy of from one to four families''; and*

*(B) by striking ''shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of $250,000'' and inserting ''shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of $250,000''; and*

*(2) in paragraph (4)—*

*(A) by striking ''in the case of any nonresidential property, including churches,'' and inserting ''in the case of any nonresidential building, including a church,''; and*

*(B) by striking ''shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of $500,000 for each structure and $500,000 for any contents related to each structure'' and inserting ''shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of $500,000, and coverage shall be made available up to a total of $500,000 aggregate liability for contents owned by the building owner and $500,000 aggregate liability for each unit within the building for contents owned by the tenant''.*

*(c) INDEXING OF MAXIMUM COVERAGE LIMITS.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—*

*(1) in paragraph (4), by striking ''and'' at the end;*

*(2) in paragraph (5), by striking the period at the end and inserting ''; and'';*

*(3) by redesignating paragraph (5) as paragraph (7); and*

*(4) by adding at the end the following new paragraph:*

*''(8) each of the dollar amount limitations under paragraphs (2), (3), (4), (5), and (6) shall be adjusted effective on the date of the enactment of the Flood Insurance Reform Act of 2011, such adjustments shall be calculated using the percentage change, over the period beginning on September 30, 1994, and ending on such date of enactment, in such inflationary index as the Administrator shall, by regulation, specify, and the dollar amount of such adjustment shall be rounded to the next lower dollar; and the Administrator shall cause to be published in the Federal Register the adjustments under this paragraph to such dollar amount limitations; except that in the case of coverage for a property that is made available, pursuant to this paragraph, in an amount that exceeds the limitation otherwise applicable to such coverage as specified in paragraph (2), (3), (4), (5), or (6), the total of such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1).''.*

*(d) OPTIONAL COVERAGE FOR LOSS OF USE OF PERSONAL RESIDENCE AND BUSINESS INTERRUPTION.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)), as amended by the preceding provisions of this section, is further amended by inserting after paragraph (4) the following new paragraphs:*

*''(5) the Administrator may provide that, in the case of any residential property, each renewal or new contract for flood insurance coverage may provide not more than $5,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, except that—*

*''(A) purchase of such coverage shall be at the option of the insured;*

*''(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and*

*''(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—*

*''(i) a competitive private insurance market for such coverage does not exist; and*

*''(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;*

*''(6) the Administrator may provide that, in the case of any commercial property or other residential property, including multifamily rental property, coverage for losses resulting from any partial or total interruption of the insured's business caused by damage to, or loss of, such property from a flood may be made available to every insured upon renewal and every applicant, up to a total amount of $20,000 per property, except that—*

*''(A) purchase of such coverage shall be at the option of the insured;*

*''(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and*

*''(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—*

*''(i) a competitive private insurance market for such coverage does not exist; and*

*''(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;''.*

*(e) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:*

*''(d) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—*

*''(1) AUTHORITY.—In addition to any other terms and conditions under subsection (a), such regulations shall provide that, in the case of any residential property, premiums for flood insurance coverage made available under this title for such property may be paid in installments.*

*''(2) LIMITATIONS.—In implementing the authority under paragraph (1), the Administrator may establish increased chargeable premium rates and surcharges, and deny coverage and establish such other sanctions, as the Administrator considers necessary to ensure that insureds purchase, pay for, and maintain coverage for the full term of a contract for flood insurance coverage or to prevent insureds from purchasing coverage only for periods during a year when risk of flooding is comparatively higher or canceling coverage for periods when such risk is comparatively lower.''.*

***SEC. 5. REFORMS OF PREMIUM RATES.***

*(a) INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking ''10 percent'' and inserting ''20 percent''.*

*(b) PHASE-IN OF RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—*

*(1) IN GENERAL.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—*

*(A) in subsection (a), in the matter preceding paragraph (1), by inserting ''or notice'' after ''prescribe by regulation'';*

*(B) in subsection (c), by inserting ''and subsection (g)'' before the first comma; and*

*(C) by adding at the end the following new subsection:*

*''(g) 5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—*

*''(1) 50 PERCENT RATE FOR INITIAL YEAR.—Notwithstanding subsection (c) or any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 12-month period that begins, except as provided in paragraph (2), upon the date that such maps, as issued, revised, updated, or otherwise changed, become effective, the chargeable premium rate for flood insurance under this title with respect to any covered property that is located within such area shall be 50 percent of the chargeable risk premium rate otherwise applicable under this title to the property.*

*''(2) APPLICABILITY TO PREFERRED RISK RATE AREAS.—In the case of any area described in paragraph (1) that consists of or includes an area that, as of date of the effectiveness of the flood insurance maps for such area referred to in paragraph (1) as so issued, revised, updated, or changed, is eligible for any reason for preferred risk rate method premiums for flood insurance coverage and was eligible for such premiums as of the enactment of the Flood Insurance Reform Act of 2011, the 12-month period referred to in paragraph (1) for such area eligible for preferred risk rate method premiums shall*

*begin upon the expiration of the period during which such area is eligible for such preferred risk rate method premiums.*

*''(3) PHASE-IN OF FULL ACTUARIAL RATES.—With respect to any area described in paragraph (1), upon the expiration of the 12-month period under paragraph (1) or (2), as applicable, for such area, the Administrator shall increase the chargeable risk premium rates for flood insurance under this title for covered properties in such area by 20 percent, and by 20 percent upon the expiration of each successive 12-month period thereafter until the chargeable risk premium rates comply with subsection (c).*

*''(4) COVERED PROPERTIES.—For purposes of the subsection, the term 'covered property' means any residential property occupied by its owner or a bona fide tenant as a primary residence.''.*

*(2) REGULATION OR NOTICE.—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this subsection and the amendments made by this subsection as soon as practicable after the date of the enactment of this Act.*

*(c) PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PROPERTIES.—*

*(1) IN GENERAL.—Section 1308(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(c)) is amended—*

*(A) by redesignating paragraph (2) as paragraph (7); and*

*(B) by inserting after paragraph (1) the following new paragraphs:*

*''(2) COMMERCIAL PROPERTIES.—Any nonresidential property.*

*''(3) SECOND HOMES AND VACATION HOMES.—Any residential property that is not the primary residence of any individual.*

*''(4) HOMES SOLD TO NEW OWNERS.—Any single family property that—*

*''(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Administrator, before December 31, 1974, or before the effective date of the initial rate map published by the Administrator under paragraph (2) of section 1360(a) for the area in which such property is located, whichever is later; and*

*''(B) is purchased after the effective date of this paragraph, pursuant to section 5(c)(3)(A) of the Flood Insurance Reform Act of 2011.*

*''(5) HOMES DAMAGED OR IMPROVED.—Any property that, on or after the date of the enactment of the Flood Insurance Reform Act of 2011, has experienced or sustained—*

*''(A) substantial flood damage exceeding 50 percent of the fair market value of such property; or*

*''(B) substantial improvement exceeding 30 percent of the fair market value of such property.*

*''(6) HOMES WITH MULTIPLE CLAIMS.—Any severe repetitive loss property (as such term is defined in section 1361A(b)).''.*

*(2) TECHNICAL AMENDMENTS.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—*

*(A) in subsection (c)—*

*(i) in the matter preceding paragraph (1), by striking ''the limitations provided under paragraphs (1) and (2)'' and inserting ''subsection (e)''; and*

*(ii) in paragraph (1), by striking '', except'' and all that follows through ''subsection (e)''; and*

*(B) in subsection (e), by striking ''paragraph (2) or (3)'' and inserting ''paragraph (7)''.*

*(3) EFFECTIVE DATE AND TRANSITION.—*

*(A) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply beginning upon the expiration of the 12-month period that begins on the date of the enactment of this Act, except as provided in subparagraph (B) of this paragraph.*

*(B) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—*

*(i) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), (4), (5), or (6) of section 1308(c) of the National Flood Insurance Act of 1968, as amended by paragraph (1) of this subsection, that, as of the effective date under subparagraph (A) of this paragraph, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) of such Act for the area in which the property is located, the Administrator of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).*

*(ii) AMOUNT OF ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under subparagraph (A) of this paragraph and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with clause (iii)).*

*(iii) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this subparagraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.*

*(iv) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), (4), (5), and (6) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this subparagraph and thereafter.*

*(d) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended—*

*(1) in subsection (e), by inserting ''or subsection (h)'' after ''subsection (c)'';*

*(2) by adding at the end the following new subsection:*

*''(h) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, the Administrator shall not provide flood insurance coverage under this title for any property for which a policy for such coverage for the property has previously lapsed in coverage as a result of the deliberate choice of the holder of such policy, at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) in which such property is located.''.*

*(e) RECOGNITION OF STATE AND LOCAL FUNDING FOR CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF RATES.—*

*(1) IN GENERAL.—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—*

*(A) in subsection (e)—*

*(i) in the first sentence, by striking ''construction of a flood protection system'' and inserting ''construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)''; and*

*(ii) in the second sentence—*

*(I) by striking ''construction of a flood protection system'' and inserting ''construction, reconstruction, or improvement of a flood protection system''; and*

*(II) by inserting ''based on the present value of the completed system'' after ''has been expended''; and*

*(B) in subsection (f)—*

*(i) in the first sentence in the matter preceding paragraph (1), by inserting ''(without respect to the level of Federal investment or participation)'' before the period at the end;*

*(ii) in the third sentence in the matter preceding paragraph (1), by inserting '', whether coastal or riverine,'' after ''special flood hazard''; and*

*(iii) in paragraph (1), by striking ''a Federal agency in consultation with the local project sponsor'' and inserting ''the entity or entities that own, operate, maintain, or repair such system''.*

*(2) REGULATIONS.—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this subsection and the amendments made by this subsection as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Paragraph (3) may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.*

***SEC. 6. TECHNICAL MAPPING ADVISORY COUNCIL.***

*(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the ''Council'').*

*(b) MEMBERSHIP.—*

*(1) IN GENERAL.—The Council shall consist of—*

*(A) the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator''), or the designee thereof;*

*(B) the Director of the United States Geological Survey of the Department of the Interior, or the designee thereof;*

*(C) the Under Secretary of Commerce for Oceans and Atmosphere, or the designee thereof;*

*(D) the commanding officer of the United States Army Corps of Engineers, or the designee thereof;*

*(E) the chief of the Natural Resources Conservation Service of the Department of Agriculture, or the designee thereof;*

*(F) the Director of the United States Fish and Wildlife Service of the Department of the Interior, or the designee thereof;*

*(G) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration of the Department of Commerce, or the designee thereof; and*

*(H) 14 additional members to be appointed by the Administrator of the Federal Emergency Management Agency, who shall be—*

*(i) an expert in data management;*

*(ii) an expert in real estate;*

*(iii) an expert in insurance;*

*(iv) a member of a recognized regional flood and storm water management organization;*

*(v) a representative of a State emergency management agency or association or organization for such agencies;*

*(vi) a member of a recognized professional surveying association or organization;*

*(vii) a member of a recognized professional mapping association or organization;*

*(viii) a member of a recognized professional engineering association or organization;*

*(ix) a member of a recognized professional association or organization representing flood hazard determination firms;*

*(x) a representative of State national flood insurance coordination offices;*

*(xi) representatives of two local governments, at least one of whom is a local levee flood manager or executive, designated by the Federal Emergency Management Agency as Cooperating Technical Partners; and*

*(xii) representatives of two State governments designated by the Federal Emergency Management Agency as Cooperating Technical States.*

*(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated*

*knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(I), the Administrator shall ensure that the membership of the Council has a balance of Federal, State, local, and private members.*

*(c) DUTIES.—*

*(1) NEW MAPPING STANDARDS.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Council shall develop and submit to the Administrator and the Congress proposed new mapping standards for 100-year flood insurance rate maps used under the national flood insurance program under the National Flood Insurance Act of 1968. In developing such proposed standards the Council shall—*

*(A) ensure that the flood insurance rate maps reflect true risk, including graduated risk that better reflects the financial risk to each property; such reflection of risk should be at the smallest geographic level possible (but not necessarily property-by-property) to ensure that communities are mapped in a manner that takes into consideration different risk levels within the community;*

*(B) ensure the most efficient generation, display, and distribution of flood risk data, models, and maps where practicable through dynamic digital environments using spatial database technology and the Internet;*

*(C) ensure that flood insurance rate maps reflect current hydrologic and hydraulic data, current land use, and topography, incorporating the most current and accurate ground and bathymetric elevation data;*

*(D) determine the best ways to include in such flood insurance rate maps levees, decertified levees, and areas located below dams, including determining a methodology for ensuring that decertified levees and other protections are included in flood insurance rate maps and their corresponding flood zones reflect the level of protection conferred;*

*(E) consider how to incorporate restored wetlands and other natural buffers into flood insurance rate maps, which may include wetlands, groundwater recharge areas, erosion zones, meander belts, endangered species habitat, barrier islands and shoreline buffer features, riparian forests, and other features;*

*(F) consider whether to use vertical positioning (as defined by the Administrator) for flood insurance rate maps;*

*(G) ensure that flood insurance rate maps differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;*

*(H) ensure that flood insurance rate maps take into consideration the best scientific data and potential future conditions (including projections for sea level rise); and*

*(I) consider how to incorporate the new standards proposed pursuant to this paragraph in existing mapping efforts.*

*(2) ONGOING DUTIES.—The Council shall, on an ongoing basis, review the mapping protocols developed pursuant to paragraph (1), and make recommendations to the Administrator when the Council determines that mapping protocols should be altered.*

*(3) MEETINGS.—In carrying out its duties under this section, the Council shall consult with stakeholders through at least 4 public meetings annually, and shall seek input of all stakeholder interests including State and local representatives, environmental and conservation organizations, insurance industry representatives, advocacy groups, planning organizations, and mapping organizations.*

*(d) PROHIBITION ON COMPENSATION.—Members of the Council shall receive no additional compensation by reason of their service on the Council.*

*(e) CHAIRPERSON.—The Administrator shall serve as the Chairperson of the Council.*

*(f) STAFF.—*

*(1) FEMA.—Upon the request of the Council, the Administrator may detail, on a nonreimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.*

*(2) OTHER FEDERAL AGENCIES.—Upon request of the Council, any other Federal agency that is a member of the Council may detail, on a nonreimbursable basis, personnel to assist the Council in carrying out its duties.*

*(g) POWERS.—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as the Council considers appropriate.*

*(h) TERMINATION.—The Council shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act.*

***SEC. 7. FEMA INCORPORATION OF NEW MAPPING PROTOCOLS.***

*(a) NEW RATE MAPPING STANDARDS.—Not later than the expiration of the 6-month period beginning upon submission by the Technical Mapping Advisory Council under section 6 of the proposed new mapping standards for flood insurance rate maps used under the national flood insurance program developed by the Council pursuant to section 6(c), the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator'') shall establish new standards for such rate maps based on such proposed new standards and the recommendations of the Council.*

*(b) REQUIREMENTS.—The new standards for flood insurance rate maps established by the Administrator pursuant to subsection (a) shall—*

*(1) delineate and include in any such rate maps—*

*(A) all areas located within the 100-year flood plain;*

*(B) areas of residual risk, including areas behind levees, dams, and other man-made structures; and*

*(C) areas subject to graduated and other risk levels, to the maximum extent possible;*

*(2) ensure that any such rate maps—*

*(A) include levees, including decertified levees, and the level of protection they confer;*

*(B) reflect current land use and topography and incorporate the most current and accurate ground level data;*

*(C) take into consideration the impacts and use of fill and the flood risks associated with altered hydrology;*

*(D) differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;*

*(E) identify and incorporate natural features and their associated flood protection benefits into mapping and rates; and*

*(F) identify, analyze, and incorporate the impact of significant changes to building and development throughout any river or costal water system, including all tributaries, which may impact flooding in areas downstream; and*

*(3) provide that such rate maps are developed on a watershed basis.*

*(c) REPORT.—If, in establishing new standards for flood insurance rate maps pursuant to subsection (a) of this section, the Administrator does not implement all of the recommendations of the Council made under the proposed new mapping standards developed by the Council pursuant to section 6(c), upon establishment of the new standards the Administrator shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate specifying which such recommendations were not adopted and explaining the reasons such recommendations were not adopted.*

*(d) IMPLEMENTATION.—The Administrator shall, not later than the expiration of the 6-month period beginning upon establishment of the new standards for flood insurance rate maps pursuant to subsection (a) of this section, commence use of the new standards and updating of flood insurance rate maps in accordance with the new standards. Not later than the expiration of the 5-year period beginning upon the establishment of such new standards, the Administrator shall complete updating of all flood insurance rate maps in accordance with the new standards, subject to the availability of sufficient amounts for such activities provided in appropriation Acts.*

*(e) TEMPORARY SUSPENSION OF MANDATORY PURCHASE REQUIREMENT FOR CERTAIN PROPERTIES.—*

*(1) SUBMISSION OF ELEVATION CERTIFICATE.—Subject to paragraphs (2) and (3) of this subsection, subsections (a), (b), and (e) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a), and section 202(a) of such Act, shall not apply to a property located in an area designated as having a special flood hazard if the owner of such property submits to the Administrator an elevation certificate for such property showing that the lowest level of the primary residence on such property is at an elevation that is at least three feet higher than the elevation of the 100-year flood plain.*

*(2) REVIEW OF SURVEY.—The Administrator shall accept as conclusive each elevation survey submitted under paragraph (1) unless the Administrator conducts a subsequent elevation survey and determines that the lowest level of the primary residence on the property in question is not at an elevation that is at least three feet higher than the elevation of the 100-year flood plain. The Administrator shall provide any such subsequent elevation survey to the owner of such property.*

*(3) DETERMINATIONS FOR PROPERTIES ON BORDERS OF SPECIAL FLOOD HAZARD AREAS.—*

*(A) EXPEDITED DETERMINATION.—In the case of any survey for a property submitted to the Administrator pursuant to paragraph (1) showing that a portion of the property is located within an area having special flood hazards and that a structure located on the property is not located within such area having special flood hazards, the Administrator shall expeditiously process any request made by an owner of the property for a determination pursuant to paragraph (2) or a determination of whether the structure is located within the area having special flood hazards.*

*(B) PROHIBITION OF FEE.—If the Administrator determines pursuant to subparagraph (A) that the structure on the property is not located within the area having special flood hazards, the Administrator shall not charge a fee for reviewing the flood hazard data and shall not require the owner to provide any additional elevation data.*

*(C) SIMPLIFICATION OF REVIEW PROCESS.—The Administrator shall collaborate with private sector flood insurers to simplify the review process for properties described in subparagraph (A) and to ensure that the review process provides for accurate determinations.*

*(4) TERMINATION OF AUTHORITY.—This subsection shall cease to apply to a property on the date on which the Administrator updates the flood insurance rate map that applies to such property in accordance with the requirements of subsection (d).*

***SEC. 8. TREATMENT OF LEVEES.***

*Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:*

*''(k) TREATMENT OF LEVEES.—The Administrator may not issue flood insurance maps, or make effective updated flood insurance maps, that omit or disregard the actual protection afforded by an existing levee, floodwall, pump or other flood protection feature, regardless of the accreditation status of such feature.''.*

***SEC. 9. PRIVATIZATION INITIATIVES.***

*(a) FEMA AND GAO REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.*

*(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—*

*(1) AUTHORITY.—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.*

*(2) ASSESSMENT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program's insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.*

*(3) PROTOCOL FOR RELEASE OF DATA.—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).*

*(c) REINSURANCE.—The National Flood Insurance Act of 1968 is amended—*

*(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting ", including as reinsurance of insurance coverage provided by the flood insurance program" before ", on such terms";*

*(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting "or reinsurance" after "flood insurance coverage";*

*(3) in section 1335(a) (42 U.S.C. 4055(a))—*

*(A) by inserting "(1)" after "(a)"; and*

*(B) by adding at the end the following new paragraph:*

*"(2) The Administrator is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources at rates and on terms determined by the Administrator to be reasonable and appropriate in an amount sufficient to maintain the ability of the program to pay claims and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.";*

*(4) in section 1346(a) (12 U.S.C. 4082(a))—*

*(A) in the matter preceding paragraph (1), by inserting ", or for purposes of securing reinsurance of insurance coverage provided by the program," before "of any or all of";*

*(B) in paragraph (1)—*

*(i) by striking "estimating" and inserting "Estimating"; and*

*(ii) by striking the semicolon at the end and inserting a period;*

*(C) in paragraph (2)—*

*(i) by striking "receiving" and inserting "Receiving"; and*

*(ii) by striking the semicolon at the end and inserting a period;*

*(D) in paragraph (3)—*

*(i) by striking "making" and inserting "Making"; and*

*(ii) by striking "; and" and inserting a period;*

*(E) in paragraph (4)—*

*(i) by striking "otherwise" and inserting "Otherwise"; and*

*(ii) by redesignating such paragraph as paragraph (5); and*

*(F) by inserting after paragraph (3) the following new paragraph:*

*"(4) Placing reinsurance coverage on insurance provided by such program."; and*

*(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: ", is subject to the reporting requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program".*

*(d) ASSESSMENT OF CLAIMS-PAYING ABILITY.—*

*(1) ASSESSMENT.—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program's utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.*

*(2) REPORT.—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.*

***SEC. 10. FEMA ANNUAL REPORT ON INSURANCE PROGRAM.***

*Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027) is amended—*

*(1) in the section heading, by striking "REPORT TO THE PRESIDENT" and inserting "ANNUAL REPORT TO CONGRESS";*

*(2) in subsection (a)—*

*(A) by striking "biennially";*

*(B) by striking "the President for submission to"; and*

*(C) by inserting "not later than June 30 of each year" before the period at the end;*

*(3) in subsection (b), by striking "biennial" and inserting "annual"; and*

*(4) by adding at the end the following new subsection:*

*"(c) FINANCIAL STATUS OF PROGRAM.—The report under this section for each year shall include information regarding the financial status of the national flood insurance program under this title, including a description of the financial status of the National Flood Insurance Fund and current and projected levels of claims, premium receipts, expenses, and borrowing under the program.".*

***SEC. 11. ACTUARIAL RATES FOR SEVERE REPETITIVE LOSS PROPERTIES REFUSING MITIGATION OR PURCHASE OFFERS.***

*Subsection (h) of section 1361A of the National Flood Insurance Act of 1968 (42 U.S.C. 4102a(h)) is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (B), by striking "150 percent" and all that follows through "paragraph (3)" and inserting "the applicable estimated risk premium rate for such coverage for the area (or subdivision thereof) determined in accordance with section 1307(a), subject to phase-in of such rates in the same manner provided under paragraph (2) of section 1308(g) for properties described in paragraph (1) of such section"; and*

*(B) by inserting after and below subparagraph (B) the following:*

*"An offer to take action under paragraph (1) or (2) of subsection (c) shall be considered to be made for purposes of this paragraph with respect to a severe repetitive loss property regardless of the time that the offer was made and regardless of whether the Administrator has transferred financial assistance under this section to the State or community making the offer for funding such action, but only if the owner of the property is provided a reasonable period of time, not to exceed 15 days, to respond to the offer.";*

*(2) by striking paragraphs (2) and (3); and*

*(3) by redesignating paragraphs (4) through (6) as paragraphs (2) through (4), respectively.*

***SEC. 12. MITIGATION ASSISTANCE.***

*Subsection (e) of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)) is amended by adding at the end the following new paragraph:*

*"(6) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood levels or higher, if required by the Administrator or if required by any State or local ordinance, and in accordance with project implementation criteria established by the Administrator.".*

***SEC. 13. GRANTS FOR DIRECT FUNDING OF MITIGATION ACTIVITIES FOR INDIVIDUAL REPETITIVE CLAIMS PROPERTIES.***

*(a) DIRECT GRANTS TO OWNERS.—Section 1323 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030) is amended—*

*(1) in the section heading, by inserting "**DIRECT**" before "**GRANTS**"; and*

*(2) in subsection (a), in the the matter preceding paragraph (1)—*

*(A) by inserting ", to owners of such properties," before "for mitigation actions"; and*

*(B) by striking "1" and inserting "two".*

*(b) AVAILABILITY OF FUNDS.—Paragraph (9) of section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended by inserting "which shall remain available until expended," after "any fiscal year,".*

***SEC. 14. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.***

*Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:*

*"(f) ANNUAL NOTIFICATION.—The Administrator, in consultation with affected communities, shall establish and carry out a plan to notify residents of areas having special flood hazards, on an annual basis—*

*"(1) that they reside in such an area;*

*"(2) of the geographical boundaries of such area;*

*"(3) of whether section 1308(h) of the National Flood Insurance Act of 1968 applies to properties within such area;*

*"(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and*

*"(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.".*

***SEC. 15. NOTIFICATION OF ESTABLISHMENT OF FLOOD ELEVATIONS.***

*Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:*

*"(l) NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Administrator shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.".*

***SEC. 16. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.***

*The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:*

*"SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.*

*''(a) IN GENERAL.—The Administrator shall, upon entering into a contract for flood insurance coverage under this title for any property—*

*''(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and*

*''(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.*

*''(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—*

*''(1) whether the property is located in an area having special flood hazards;*

*''(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;*

*''(3) of the maximum amount of such coverage for contents available under this title at that time; and*

*''(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator where such information is available.''.*

*SEC. 17. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.*

*Part C of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:*

*"SEC. 1349. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.*

*''(a) NOTIFICATION.—Not later than 60 days before the date on which a transferred flood insurance policy expires, and annually thereafter until such time as the Federal Emergency Management Agency is no longer directly administering such policy, the Administrator shall notify the holder of such policy that—*

*''(1) the Federal Emergency Management Agency is directly administering the policy;*

*''(2) such holder may purchase flood insurance that is directly administered by an insurance company; and*

*''(3) purchasing flood insurance offered under the National Flood Insurance Program that is directly administered by an insurance company will not alter the coverage provided or the premiums charged to such holder that otherwise would be provided or charged if the policy was directly administered by the Federal Emergency Management Agency.*

*''(b) DEFINITION.—In this section, the term 'transferred flood insurance policy' means a flood insurance policy that—*

*''(1) was directly administered by an insurance company at the time the policy was originally purchased by the policy holder; and*

*''(2) at the time of renewal of the policy, direct administration of the policy was or will be transferred to the Federal Emergency Management Agency.''.*

*SEC. 18. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPA GOOD FAITH ESTIMATE.*

*Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: ''Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.''.*

*SEC. 19. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS OBTAINING LETTERS OF MAP AMENDMENT.*

*(a) IN GENERAL.—Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:*

*''(m) REIMBURSEMENT.—*

*''(1) REQUIREMENT UPON BONA FIDE OFFER.—If an owner of any property located in an area described in section 102(i)(3) of the Flood Disaster Protection Act of 1973 obtains a letter of map amendment due to a bona fide error on the part of the Administrator of the Federal Emergency Management Agency, the Administrator shall reimburse such owner, or such entity or jurisdiction acting on such owner's behalf, for any reasonable costs incurred in obtaining such letter.*

*''(2) REASONABLE COSTS.—The Administrator shall, by regulation or notice, determine a reasonable amount of costs to be reimbursed under paragraph (1), except that such costs shall not include legal or attorneys fees. In determining the reasonableness of costs, the Administrator shall only consider the actual costs to the owner of utilizing the services of an engineer, surveyor, or similar services.''.*

*(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue the regulations or notice required under section 1360(m)(2) of the National Flood Insurance Act of 1968, as added by the amendment made by subsection (a) of this section.*

*SEC. 20. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.*

*Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended by adding at the end the following new section:*

*"SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.*

*''In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.''.*

*SEC. 21. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.*

*Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—*

*(1) in paragraph (24), by striking ''and'' at the end;*

*(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and*

*(3) by adding at the end the following new paragraphs:*

*''(26) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expenditures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—*

*''(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—*

*''(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;*

*''(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and*

*''(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph;*

*except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and*

*''(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and*

*''(27) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—*

*''(A) amounts used as provided under this paragraph shall be used only for activities designed to—*

*''(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;*

*''(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;*

*''(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;*

*''(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;*

''(v) encourage such owners and renters to maintain or acquire such coverage;

''(vi) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the 'Administrator') where such information is available; and

''(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

''(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term 'non-Federal funds' includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

''(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

''(D) each local government agency that uses amounts as provided under this paragraph shall submit a report to the Secretary and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.''.

**SEC. 22. TECHNICAL CORRECTIONS.**

(a) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking ''Director'' each place such term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting ''Administrator''; and

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking ''Director's'' and inserting ''Administrator's''.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking ''Director'' each place such term appears and inserting ''Administrator''; and

(2) in sections 1363 (42 U.S.C. 4104), by striking ''Director's'' each place such term appears and inserting ''Administrator's''.

(c) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking ''Director'' each place such term appears and inserting ''Administrator''.

**SEC. 23. REPORT ON WRITE-YOUR-OWN PROGRAM.**

Not later than one year after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report describing procedures and policies that the Administrator can implement to limit the percentage of flood insurance polices directly managed by the Agency to not more than 10 percent, if possible, of all flood insurance policies issued in accordance with the National Flood Insurance Program.

**SEC. 24. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.**

(a) STUDIES.—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance program. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

**SEC. 25. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.**

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

**SEC. 26. STUDY ON GRADUATED RISK.**

(a) STUDY.—The National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions, which shall—

(1) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(2) rank such practices based on their best value, balancing cost, scientific integrity, and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(3) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(4) identify examples where such practices have proven effective and recommend methods and processes by which they could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(5) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees which are actuarially sound and based on the flood risk data developed using the top three best value approaches identified pursuant to paragraph (1);

(6) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(7) taking into consideration the recommendations pursuant to paragraphs (1) through (3), recommend approaches to communicating the associated risks to community officials, homeowners, and other residents.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the National Academy of Sciences shall submit a report to the Committees on Financial Services and Science, Space, and Technology of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Commerce, Science and Transportation of the Senate on the study under subsection (a) including the information and recommendations required under such subsection.

**SEC. 27. NO CAUSE OF ACTION.**

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this Act or any amendment made by this Act.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112–138, and amendments en bloc described in section 3 of House Resolution 340. Each amendment printed in the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Financial Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the committee or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

AMENDMENTS EN BLOC OFFERED BY MRS. BIGGERT

Mrs. BIGGERT. Mr. Chairman, pursuant to House Resolution 340, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendments numbered 1, 6, 7, 8, 9, 12, 15, 18, 21, 22, and 24 printed in House Report 112–138 offered by Mrs. BIGGERT:

AMENDMENT NO. 1 OFFERED BY MRS. BIGGERT

Page 38, line 23, strike ''5-year'' and insert ''10-year''.

Page 39, line 18 strike ''SURVEY'' and insert ''CERTIFICATE''.

Page 39, line 19 strike ''survey'' and insert ''certificate''.

Page 50, line 7, strike ''1308(h)'' and insert ''1308(g)''.

Page 50, lines 20 and 21 strike ''**OF ESTABLISHMENT OF FLOOD ELEVATIONS**'' and insert ''**TO MEMBERS OF CONGRESS OF FLOOD MAP REVISIONS AND UPDATES**''.

Page 55, line 11, strike ''OFFER'' and insert ''ERROR''.

Page 64, line 16, strike ''sections'' and insert ''section''.

AMENDMENT NO. 6 OFFERED BY MS. MATSUI

Page 20, line 3, strike ''50 PERCENT RATE FOR INITIAL YEAR'' and insert ''5-YEAR PHASE-IN PERIOD''.

Page 20, line 11, strike ''12-month period'' and insert ''5-year period''.

Page 20, lines 17 through 19, strike ''50 percent of the chargeable risk premium rate otherwise applicable under this title to the property'' and insert ''the rate described in paragraph (3)''.

Page 21, line 4, strike ''12-month period'' and insert ''5-year period''.

Page 21, strike lines 11 through 18, and insert the following:

''the chargeable risk premium rate for flood insurance under this title for a covered property that is located in such area shall be—

''(A) for the first year of the 5-year period referred to in paragraph (1), the greater of—

''(i) 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

''(ii) in the case of any property that, as of the beginning of such first year, is eligible for preferred risk rate method premiums for flood insurance coverage, such preferred risk rate method premium for the property;

''(B) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

''(C) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

''(D) for the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

''(E) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.''.

AMENDMENT NO. 7 OFFERED BY MR. TERRY

Page 19, after line 8, insert the following new subsection:

(f) EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODS IN PROGRESS.—Paragraph (1) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)) is amended by adding after the period at the end the following: ''With respect to any flood that has commenced or is in progress before the expiration of such 30-day period, such flood insurance coverage for a property shall take effect upon the expiration of such 30-day period and shall cover damage to such property occurring after the expiration of such period that results from such flood, but only if the property has not suffered damage or loss as a result of such flood before the expiration of such 30-day period.''.

AMENDMENT NO. 8 OFFERED BY MS. WATERS

Page 23, line 17, strike ''section 1361A(b)'' and insert ''section 1366(j)''.

Strike line 10 on page 47 and all that follows through page 48, line 15.

Strike line 16 on page 48 and all that follows through page 49, line 19 and insert the following new section:

**SEC. 12. MITIGATION ASSISTANCE.**

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: ''Such financial assistance shall be made available—

''(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

''(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

''(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.''.

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking ''flood risk'' and inserting ''multi-hazard'';

(B) by striking ''provides protection against'' and inserting ''examines reduction of''; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

''(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

''(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

''(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

''(A) severe repetitive loss structures;

''(B) repetitive loss structures; and

''(C) other subsets of structures as the Administrator may establish.'';

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

''(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—'';

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (F), (H), and (I);

(iv) by inserting after subparagraph (C) the following new subparagraphs:

''(D) demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator;

''(E) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);'';

(v) by inserting after subparagraph (F), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

''(G) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed $50,000 for any mitigation plan of a State or $25,000 for any mitigation plan of a local government or Indian tribe;'';

(vi) in subparagraph (I); as so redesignated by clause (iii) of this subparagraph, by striking ''and'' at the end; and

(vii) by adding at the end the following new subparagraphs:

''(J) other mitigation activities not described in subparagraphs (A) through (H) or the regulations issued under subparagraph (I), that are described in the mitigation plan of a State, community, or Indian tribe; and

''(K) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed $50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least $1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.''; and

(D) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

''(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

''(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

''(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

''(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking ''certified under subsection (g)'' and inserting ''required under subsection (d)''; and

(ii) by striking ''3 times the amount'' and inserting ''the amount''; and

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) in paragraph (1), by striking ''Riegle Community Development and Regulatory Improvement Act of 1994'' and inserting ''Flood Insurance Reform Act of 2011'';

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

''(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

''(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed $40,000,000 and shall remain available until expended.

''(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMUNITY.—The term 'community' means—

''(A) a political subdivision that—

''(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

''(ii) is participating in the national flood insurance program; or

''(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

''(2) REPETITIVE LOSS STRUCTURE.—The term 'repetitive loss structure' has the meaning given such term in section 1370.

''(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term 'severe repetitive loss structure' means a structure that—

''(A) is covered under a contract for flood insurance made available under this title; and

''(B) has incurred flood-related damage—

''(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding $15,000, and with the cumulative amount of such claims payments exceeding $60,000; or

''(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.''.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting ''and'' after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding $90,000,000 to remain available until expended, of which—

''(A) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

''(B) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

''(C) not more than $10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).''.

(B) in paragraph (3), by striking ''section 1366(i)'' and inserting ''section 1366(e)'';

(2) in subsection (c), by striking ''sections 1366 and 1323'' and inserting ''section 1366'';

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

''(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.''.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

AMENDMENT NO. 9 OFFERED BY MR. PALAZZO

Page 32, line 6, before the period insert the following: '', and includes an adequate number of representatives from the States with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator of the Federal Emergency Management Agency as at high-risk for flooding or special flood hazard areas''.

AMENDMENT NO. 12 OFFERED BY MR. BURTON OF INDIANA

Page 50, line 20, insert ''**TO MEMBERS OF CONGRESS**'' after ''**NOTIFICATION**''.

Page 51, after line 11, insert the following new section:

**SEC. 16. NOTIFICATION AND APPEAL OF MAP CHANGES; NOTIFICATION TO COMMUNITIES OF ESTABLISHMENT OF FLOOD ELEVATIONS.**

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking the section designation and all that follows through the end of subsection (a) and inserting the following:

''SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Director shall first propose such determinations—

''(1) by providing the chief executive officer of each community affected by the proposed elevations, by certified mail, with a return receipt requested, notice of the elevations, including a copy of the maps for the elevations for such community and a statement explaining the process under this section to appeal for changes in such elevations;

''(2) by causing notice of such elevations to be published in the Federal Register, which notice shall include information sufficient to identify the elevation determinations and the communities affected, information explaining how to obtain copies of the elevations, and a statement explaining the process under this section to appeal for changes in the elevations;

''(3) by publishing in a prominent local newspaper the elevations, a description of the appeals process for flood determinations, and the mailing address and telephone number of a person the owner may contact for more information or to initiate an appeal; and

''(4) by providing written notification, by first class mail, to each owner of real property affected by the proposed elevations of—

''(A) the status of such property, both prior to and after the effective date of the proposed determination, with respect to flood zone and flood insurance requirements under this Act and the Flood Disaster Protection Act of 1973;

''(B) the process under this section to appeal a flood elevation determination; and

''(C) the mailing address and phone number of a person the owner may contact for more information or to initiate an appeal.''.

AMENDMENT NO. 15 OFFERED BY MR. CUELLAR

Page 56, after line 9, insert the following new section:

**SEC. 20. ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(n) ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.—In updating flood insurance maps under this section, the Administrator shall communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas.''.

AMENDMENT NO. 18 OFFERED BY MR. PALAZZO

Page 57, after line 2, insert the following new section:

**SEC. 21. INFORMATION REGARDING MULTIPLE PERILS CLAIMS.**

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

''(d) INFORMATION REGARDING MULTIPLE PERILS CLAIMS.—

''(1) IN GENERAL.—Subject to paragraph (2), if an insured having flood insurance coverage under a policy issued under the program under this title by the Administrator or a company, insurer, or entity offering flood insurance coverage under such program (in this subsection referred to as a 'participating company') has wind or other homeowners coverage from any company, insurer, or other entity covering property covered by such flood insurance, in the case of damage to such property that may have been caused by flood or by wind, the Administrator and the participating company, upon the request of the insured, shall provide to the insured, within 30 days of such request—

''(A) a copy of the estimate of structure damage;

''(B) proofs of loss;

''(C) any expert or engineering reports or documents commissioned by or relied upon by the Administrator or participating company in determining whether the damage was caused by flood or any other peril; and

''(D) the Administrator's or the participating company's final determination on the claim.

''(2) TIMING.—Paragraph (1) shall apply only with respect to a request described in such paragraph made by an insured after the Administrator or the participating company, or both, as applicable, have issued a final decision on the flood claim involved and resolution of all appeals with respect to such claim.''.

AMENDMENT NO. 21 OFFERED BY MR. LUETKEMEYER

Page 70, after line 5, insert the following new section:

**SEC. 27. REPORT ON FLOOD-IN-PROGRESS DETERMINATION.**

The Administrator of the Federal Emergency Management Agency shall review the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the national flood insurance program under the National Flood Insurance Act of 1968 and for providing public notification that such an event has commenced or is in progress. In such review, the Administrator shall take into consideration the effects and implications that weather conditions, such as rainfall, snowfall, projected snowmelt, existing water levels, and other conditions have on the determination that a flood event has commenced or is in progress. Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Administrator shall submit a report to the Congress setting forth the results and conclusions of the review undertaken pursuant to this section and any actions undertaken or proposed actions to be taken to provide for a more precise and technical determination that a flooding event has commenced or is in progress.

AMENDMENT NO. 22 OFFERED BY MR. CANSECO

On page 70, after line 5, insert the following new section:

**SEC. 27. STUDY ON REPAYING FLOOD INSURANCE DEBT.**

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

AMENDMENT NO. 24 OFFERED BY MR. WALZ OF MINNESOTA

At the end of the bill, add the following new section:

**SEC. 28. AUTHORITY FOR THE CORPS OF ENGINEERS TO PROVIDE SPECIALIZED OR TECHNICAL SERVICES.**

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the request of a State or local government, the Secretary of the Army may evaluate a levee system that was designed or constructed by the Secretary for the purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) REQUIREMENTS.—A levee system evaluation under subsection (a) shall—

(1) comply with applicable regulations related to areas protected by a levee system;

(2) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish; and

(3) be carried out only if the State or local government agrees to reimburse the Secretary for all cost associated with the performance of the activities.

AMENDMENT NO. 8, AS MODIFIED

Mrs. BIGGERT. Mr. Chairman, I ask unanimous consent that amendment No. 8 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Page 23, line 17, strike ''section 1361A(b)'' and insert ''section 1366(j)''.

Strike line 10 on page 47 and all that follows through page 48, line 15.

Strike line 16 on page 48 and all that follows through page 49, line 19 and insert the following new section:

**SEC. 12. MITIGATION ASSISTANCE.**

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: ''Such financial assistance shall be made available—

''(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

''(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

''(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.''.

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking ''flood risk'' and inserting ''multi-hazard'';

(B) by striking ''provides protection against'' and inserting ''examines reduction of''; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

''(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

''(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

''(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

''(A) severe repetitive loss structures;

''(B) repetitive loss structures; and

''(C) other subsets of structures as the Administrator may establish.'';

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

''(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—'';

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H);

(iv) by inserting after subparagraph (C) the following new subparagraph:

''(D) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);'';

(v) by inserting after subparagraph (E), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

''(F) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed $50,000 for any mitigation plan of a State or $25,000 for any mitigation plan of a local government or Indian tribe;'';

(vi) in subparagraph (H); as so redesignated by clause (iii) of this subparagraph, by striking ''and'' at the end; and

(vii) by adding at the end the following new subparagraphs:

''(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State, community, or Indian tribe; and

''(J) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed $50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least $1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.'';

(D) by adding at the end the following new paragraph:

''(6) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator.''; and

(E) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

''(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

''(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

''(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

''(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking ''certified under subsection (g)'' and inserting ''required under subsection (d)''; and

(ii) by striking ''3 times the amount'' and inserting ''the amount''; and

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) in paragraph (1), by striking ''Riegle Community Development and Regulatory Improvement Act of 1994'' and inserting ''Flood Insurance Reform Act of 2011'';

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

''(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

''(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed $40,000,000 and shall remain available until expended.

''(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMUNITY.—The term 'community' means—

''(A) a political subdivision that—

''(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

''(ii) is participating in the national flood insurance program; or

''(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

''(2) REPETITIVE LOSS STRUCTURE.—The term 'repetitive loss structure' has the meaning given such term in section 1370.

''(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term 'severe repetitive loss structure' means a structure that—

''(A) is covered under a contract for flood insurance made available under this title; and

''(B) has incurred flood-related damage—

''(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding $15,000, and with the cumulative amount of such claims payments exceeding $60,000; or

''(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.''.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting ''and'' after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding $90,000,000 to remain available until expended, of which—

''(A) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

''(B) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

''(C) not more than $10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).''.

(B) in paragraph (3), by striking ''section 1366(i)'' and inserting ''section 1366(e)'';

(2) in subsection (c), by striking ''sections 1366 and 1323'' and inserting ''section 1366'';

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

''(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.''.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

Mrs. BIGGERT (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Mr. Chairman, this is a bipartisan package of amendments that we are accepting. I urge my colleagues to support the amendments en bloc.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentleman from Massachusetts for yielding me time.

Mr. Chairman, I want to commend Chairwoman BIGGERT and Ranking Member WATERS for their leadership and their support for my amendment to phase in higher flood insurance rates when preferred risk policies are no longer available in a community.

I represent the city of Sacramento, which is home to both the American and Sacramento rivers. After New Orleans, we are the most at-risk river city in our Nation.

Since Hurricane Katrina, more than 25,000 homeowners in my district have been remapped, and for them flood insurance is now mandatory.

Their flood insurance costs increased from the PRP rate of $350 to over $1,350 overnight.

□ 1510

The sticker shock to a homeowner, whether it be a senior citizen on a fixed income or a family struggling to make ends meet, is unreasonable.

My amendment would simply raise the cost of flood insurance from remapped areas from the PRP rate to the full price rate over a period of 5 years. Specifically, my amendment would start the phase-in for homeowners at their current PRP rate. Each year after that, the price of flood insurance would rise by 20 percent until it reaches its full price in year 5.

My amendment will save the average policyholder in a remapped area about $843 over 5 years while not impacting the solvency of the NFIP. I believe this to be a fair and equitable way forward, especially in these trying economic times.

Again, I thank Chairwoman BIGGERT and Ranking Member WATERS for their leadership. I urge my colleagues to join me in supporting this amendment.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, this en bloc amendment is perfectly fine with us, and I urge its adoption.

I have no further requests for time, and I yield back the balance of my time.

Mrs. BIGGERT. I yield such time as he may consume to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. I would like to thank Chairwoman BIGGERT for yielding and for her leadership on this issue.

I rise today in support of the reauthorization of the National Flood Insurance Reform Act. As a representative of the Katrina-devastated Mississippi gulf coast, I understand both the importance of the National Flood Insurance Program but also the need for its reform.

I have introduced two amendments to the bill which will be a part of the en bloc amendment. The first calls for the newly created Technical Mapping Advisory Council to include members from coastal or other high-risk flood areas. This assures that the advisory council has members that are not just technical experts but have experienced firsthand the hardship and heartbreak catastrophic flooding and damage causes families and communities.

My other amendment allows any claimant to obtain from the administrator any engineering reports or other documents relied on in determining whether the damage was caused by flood or any other peril. When the FEMA administrator or participating company have the task of determining whether a home's damage was caused by wind or by water, the policyholder would now have the right to request those documents relied upon in making that determination.

It is my belief that transparency in government is important, especially for policyholders. For those who may have lost their property, they have the right to know the details in the determination of their claim.

I urge your support of both of my amendments as well as the full passage of H.R. 1309.

Mrs. NOEM. Mr. Chair, I rise today in support of Representatives TERRY and BERG's amendment to H.R. 1309.

As you may know, the Missouri River Basin is in the midst of record flooding. In order to determine a trigger date for a flood-in-progress, FEMA's National Flood Insurance Program sent an examiner to Garrison Dam in North Dakota at the end of May on a fact-finding mission. After looking at the dam and both sides of the river, the adjuster determined a flood was in progress and declared June 1st as the trigger date for the entire Missouri River Basin.

The flooding along the Missouri River stretches more than one thousand miles and is affecting multiple states. Very few homes in South Dakota were underwater on June 1st, yet this trigger date is used to determine if flood insurance policies are valid, regardless of location and when flooding actually began.

Not all my constituents along the Missouri River have flood insurance. Some, however, had the foresight to purchase a policy prior to being underwater, and, more importantly, prior to FEMA's declaration that June 1st was the universal flood-in-progress date. Flood insurance requires a 30-day wait period before the policy becomes effective. Individuals who purchased flood insurance on May 1st will be covered for their losses in this flood, but those who waited until May 2nd are out of luck. This amendment rectifies this problem. It would allow for reasonable flexibility for policy holders when a universal trigger date is used for such a vast multi-state event.

I urge my colleagues to support this amendment.

Mrs. BIGGERT. I urge support for the amendments en bloc.

I have no further requests for time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentlewoman from Illinois (Mrs. BIGGERT).

The amendments en bloc, as modified, were agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SCHOCK

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–138.

Mr. SCHOCK. Mr. Chairman, as the designee for Mr. BACHUS, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, strike the dash in line 3 and all that follows through line 10 and insert "designation of the area as having special flood hazards in a timely manner under section 1363.".

Page 7, after line 21 insert the following:

"(5) ADDITIONAL EXTENSION FOR COMMUNITIES MAKING MORE THAN ADEQUATE PROGRESS ON FLOOD PROTECTION SYSTEM.—

"(A) EXTENSION.—

"(i) AUTHORITY.—Except as provided in subparagraph (B), in the case of an eligible area for which the Administrator has, pursuant to paragraph (4), extended the period of effectiveness of the finding under paragraph (1) for the area, upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, if the Administrator finds that more than adequate progress has been made on the construction of a flood protection system for such area, as determined in accordance with the last sentence of section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)), the Administrator may, in the discretion of the Administrator, further extend the period during which the finding under paragraph (1) shall be effective for such area for an additional 12 months.

"(ii) LIMIT.—For any eligible area, the cumulative number of extensions under this subparagraph may not exceed 2.

"(B) EXCLUSION FOR NEW MORTGAGES.—

"(i) EXCLUSION.—Any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) shall not be effective with respect to any excluded property after the origination, increase, extension, or renewal of the loan referred to in clause (ii)(II) for the property.

"(ii) EXCLUDED PROPERTIES.—For purposes of this subparagraph, the term 'excluded property' means any improved real estate or mobile home—

"(I) that is located in an eligible area; and

"(II) for which, during the period that any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) is otherwise in effect for the eligible area in which such property is located—

"(aa) a loan that is secured by the property is originated; or

"(bb) any existing loan that is secured by the property is increased, extended, or renewed.".

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Illinois (Mr. SCHOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHOCK. Mr. Chairman, I rise in strong support of amendment No. 2, drafted by the chairman and my friend, Mr. BACHUS, to help solve a problem that is prevalent in my district as well as many rural districts across the heartland.

As you know, this flood insurance issue affects every town, but especially those along the riverbanks. And FEMA's new requirements that require many of these small towns to make necessary improvements in their upgrades of their levees and dams require significant investment, investment that America's small businesses, family farms, and private properties will have to come up with the revenue to pay for.

This amendment in no way seeks to get anyone off the hook but, rather, to give them the necessary time given the large investments that many of these small towns will have to make, given the economic times that we are in right now, and recognizing that many of these small towns will require more than the 3 years as is allowed in the underlying bill to make the necessary improvements.

It does require, however, in years 4 and 5, which this amendment allows for an extension of the years 4 and 5, to allow to make the improvements. But those communities have to show stated improvement or at least progress toward the final necessary improvements in years 4 and 5 in order for them to get the necessary extension.

So I think it makes sense. It's a pretty commonsense amendment.

And I just want to say thank you personally to Chairman BACHUS for his work with other members of my delegation in Illinois and, I know, those along the Mississippi and other waterways whose towns are feeling the pain of many of these new unfunded mandates put forward by FEMA.

With that, I would urge passage of amendment No. 2.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. CAPUANO. I yield to the gentleman from Illinois.

Mr. COSTELLO. Let me thank my friend Mr. CAPUANO for yielding.

Mr. Chairman, I would like to first thank the chair of the subcommittee, the gentlelady from Illinois (Mrs. BIGGERT), and also the ranking member, MAXINE WATERS, as well as Chairman BACHUS and Ranking Member FRANK of the full committee, and also my friend Mr. SCHOCK and Mr. SHIMKUS from Illinois. We all worked on this amendment together. It's a good amendment.

As I think Mr. SCHOCK just explained, the Bachus amendment gives the administrator the authority to allow for a possible fourth and fifth suspension of the mandatory purchase for certain communities that are making adequate progress in construction of the flood protection system.

It's a commonsense amendment. It's a bipartisan agreement. I urge its adoption, and I not only support the amendment but the underlying bill as well.

Mr. SCHOCK. Mr. Chairman, I yield the balance of my time to the author of the amendment, the chairman of the committee, SPENCER BACHUS.

Mr. BACHUS. I appreciate the remarks of the gentleman from Illinois.

I believe this is a noncontroversial amendment. It will encourage local governments to undertake repairs and remedial efforts. And I believe it is a fair, equitable change in the bill to reward local and State governments for their efforts.

With that, I would recommend passage of the amendment.

Mr. CAPUANO. Mr. Chairman, I support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–138.

Ms. SPEIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, after line 22, insert the following new subsection:

(d) PENALTIES FOR REQUIRING PURCHASE OF COVERAGE EXCEEDING MINIMUM MANDATORY PURCHASE REQUIREMENT.—Paragraph (2) of section 102(f) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(f)(2)) is amended—

(1) in subparagraph (A)(iii), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(C) in connection with the making, increasing, extending, servicing, or renewing of any loan, requiring the purchase of flood insurance coverage under the National Flood Insurance Act of 1968, or purchasing such coverage pursuant to subsection (e)(2), in an amount in excess of the minimum amount required under subsections (a) and (b) of this section.''.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

□ 1520

Ms. SPEIER. Mr. Chairman, I am pleased to present this amendment. This actually was adopted by a voice vote in the Financial Services Committee in 2010; and my good friend and colleague, Congresswoman BIGGERT, may recall it. It was something that came up in my district where an elderly woman, living on Social Security, had a mortgage balance on her home of $13,000; but because she was being included in a newly mapped flood zone, her bank required her to purchase the full $250,000 in flood insurance at a cost of more than $2,400 per year.

I would venture to say that we don't see ourselves as being in the insurance business by choice. We are in the flood insurance business out of necessity, and it would seem to me that it doesn't make a lot of sense to impose an obligation on homeowners to purchase insurance that exceeds the actual cost of their mortgage, especially when we note that the average flood damage claims are anywhere from $25,000 to $35,000. So to require someone who has a $13,000 loan balance to purchase flood insurance for $250,000 and pay a fee, a yearly premium of $2,400, is just, I think, unacceptable; and I would think my colleagues on both sides of the aisle would like to do something for those people who have been responsible, pay down their mortgages, and have small balances.

This particular amendment makes it a violation for a lender, whose only interest in the property is the amount of the outstanding mortgage indebtedness, to use the National Flood Insurance Program to require a homeowner to purchase more than the legally required amount of flood insurance, an amount equal to the outstanding principal balance. Nothing, however, would prohibit a homeowner who wished to purchase more coverage from doing so, and nothing would preclude a mortgage lender from including such a requirement in the mortgage contract up front, as long as it was fully disclosed. In both cases, the homeowner would be able to make a choice, and this would be full disclosure as well.

In California, where we have mandatory auto insurance, once a car owner has discharged their debt on the car, they are no longer obligated to carry coverage for the damage to their own car, only the liability insurance if they crash into someone else's car. This amendment is very consistent with giving people a choice as well. Again, I offer this amendment and ask for its support.

Mr. Chairman, I yield back the balance of my time.

Mrs. BIGGERT. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman.

This amendment would impose penalties against lenders who require borrowers to maintain flood insurance in an amount greater than the outstanding principal balance of the loan.

Limiting the amount of coverage to the unpaid principal balance leaves consumers at risk of having to incur the costs of repair on their own and, additionally, is not reflective of the current state of industry practices. In fact, with the exception of VA loans, limiting insurance to the unpaid principal balance is not recommended under existing law.

Consumers, not lenders, will bear the financial brunt of a disaster. Limiting flood insurance to the unpaid principal balance may protect the lender's financial interest in the property; however, it doesn't protect the consumer's equity and investment in the property.

NFIP establishes the minimum amount of coverage required at the lesser of the outstanding balance of the loan or the maximum available NFIP coverage, which today is $250,000 for residential and $500,000 for commercial properties.

The standard NFIP dwelling flood policy requires that one to two family owner-occupied dwellings be insured for the replacement value in order for losses to be paid for the cost to repair or replace the property. If these properties are not insured for at least 80 percent of the replacement value at the time of loss, the policyholder cannot obtain the full benefits of the policy and may not receive sufficient funds to repair or replace the property damaged by flood.

Guidelines issued by Federal regulators encourage and authorize lenders to require flood insurance at replacement cost, not to exceed NFIP maximum available coverage. The guidelines also urge lenders to follow the same rules in calculating flood coverage as they do in calculating hazard coverage, where standard industry practice is to require coverage at replacement cost.

In the case of condominiums, the guidelines issued by Federal regulators require lenders to ensure that flood protection has been obtained for the replacement value of the property improvements, not to exceed the NFIP maximum limits.

I would request a ''no'' vote on the Speier amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BIGGERT. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–138.

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 24, strike the second semicolon and insert ''; and''.

Strike paragraph (3) of section 4(c) (page 15, lines 1 and 2).

Page 15, line 5, strike ''(8)'' and insert ''(6)''.

Page 15, line 6, strike ''(2), (3), (4), (5), and (6)'' and insert ''(2), (3), and (4)''.

Strike subsection (d) of section 4 (page 16, line 1 and all that follows through page 18, line 10).

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

This amendment would strike additional flood-related coverage provided in the underlying bill for business interruption and cost-of-living expenses. Specifically, this amendment would prohibit FEMA from offering individuals up to $5,000 for living expenses and up to $20,000 for interruption of business expenses.

I understand that the committee worked to ensure that the inclusion of this additional coverage would be provided at fully actuarial rates, but let me remind this body that Congress does not have a great track record when it comes to pricing risks. One has to look no further than Fannie Mae and Freddie Mac to see an example of that, or just look at this program, itself.

The National Flood Insurance Program is about $18 billion in the red. Let me say that again. We have a Federal flood insurance program that currently owes the Treasury Department nearly $18 billion, so we shouldn't take at face value the notion that any new coverage that's offered is priced at fully actuarial rates.

This expansion of coverage will only increase taxpayer liability, which is the last thing that this Congress ought to do with a program so severely in debt and with a country so severely in debt. Instead, we should be passing legislation to narrow the scope of the NFIP, not to expand it.

Simply put, any reform to the NFIP should be moving toward privatization, and I am sure this belief is shared by a number of my colleagues. Voting against this amendment is a vote to expand the current National Flood Insurance Program. Again, a vote against this amendment is a vote to expand the current flood insurance program, a program that is currently $18 billion in debt to the U.S. Treasury.

My understanding is that private market participants are hesitant to offer this type of coverage because it is not profitable for them to do so. I'm not sure I've ever seen an instance where government involvement in the market incentivized the private sector to compete. In fact, according to testimony from Taxpayers for Common Sense:

''We have learned from Federal flood insurance itself that the best way to stifle a private market is to have the Federal Government provide the same product.'' That simply makes sense.

When you have a Federal Government borrowing 41 cents on the dollar, the last thing we need to do is expand an insurance program that is already $18 billion in the red. Again, voting for this amendment isn't to cut this program—I wish it were—but it is simply to not allow the program to expand further.

□ 1530

FEMA estimated that had this same policy been enacted in 2005 before Katrina and Rita hit, combined losses from additional expenses and business interruption would have been about $600 million in net losses. If you consider the increase in policies since 2005, they estimated if we had another 2005-like year, this additional coverage would result in $850 million in net losses just for 2011. We can't afford to do that, Mr. Chairman.

If there is no private market for this type of coverage, we ought to understand why there is no private market, and having government enter the marketplace will only ensure there is no private market for it. We shouldn't be comforted by the notion that we will hear, I am sure, that the premiums will be priced at fully actuarial rates. That's saying that there's no private market out there, government has to be involved, but we have priced it as if the private sector were involved. Anybody who believes that, I have a bridge somewhere to sell you. Government entrance into this type of marketplace is simply not right. We shouldn't be doing it. And to my colleagues who think that we have a debt problem today, think what problem we will have if we have another year like 2005.

According to FEMA's only projections, it could result in $850 million in net losses. So I would urge adoption of the amendment.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS), the chairman of the full committee.

Mr. BACHUS. Mr. Chairman, I don't think anyone in this Congress is more sincere on cutting government spending than Mr. FLAKE. I believe he comes here with pure motivation. I would simply say this to him and my colleagues: this is an issue that we carefully considered. It was first proposed as a result of Katrina and the losses there. As he said correctly, this program is $16 billion in the red. After Katrina, the Federal Government through FEMA, SBA and others, paid out several billion dollars not on the flood insurance program but paid out an estimated $6 billion or $7 billion to businesses because of their losses from business interruption and temporary shelter and living expenses.

In 2006, really as a result of that, the subcommittee chairman, Richard Baker, held hearings and determined that business interruption and cost-of-living coverage should be included. It has passed the House, but we have actually since then never passed a flood insurance reform bill.

As all of us know, and I think all of us agree, the legislation before us today has already been scored as a $4.2 billion savings. The reason that it saves money, the reason that it takes a program that is costing taxpayers money every day is because it requires a risk-based premium. Now, beyond that, it also requires reinsurance if the risk-based premium proves insufficient. So it has a cushion.

It also says that if private insurers will offer this plan, then the government will not. It makes a finding that a competitive private market for such coverage does not exist. That was actually based on 2006 and again last year. It certifies that the National Flood Insurance Program will offer such coverage with the prohibition that it is supplemented by taxpayer money from the Treasury. This was a concern that many of us, including Mr. FLAKE, you know, had, that the taxpayer would end up subsidizing this.

This legislation with this provision actually scores as a $4.2 billion savings over the next 10 years. Actually, I think it could be greater than that because, as Mr. FLAKE said, we don't know what is going to happen next year or the year after that. We do know this: we know when we have one of these, and in fact this year is a great example, when we have four $1 billion disasters, what did this Congress do? It appropriated disaster assistance. And that included reimbursement for living expenses and business interruption. Not only that, but the SBA, the Agricultural Department and I can't imagine how many others that we don't know about, FEMA, as a realistic matter, they are handing out checks every day when we have these disasters. Local and State governments are doing the same.

Why not, instead of this being handed out, why not have the people who own the businesses, who are living there, why not offer them coverage and let them pay the premium and let them share the loss? There are many places in the West where a flood, it would be almost impossible. There are many places in this country where a flood is simply not a problem. Why should those people be required to pay taxpayer money for what has become basically the Federal Government coming in and reimbursing everyone that doesn't have insurance? That is a question that we have asked.

We have just had the largest outbreak of tornadoes and death in the United States in Alabama. I have heard people say we have a situation where there is no insurance and the Federal Government comes in and says, if you have insurance, you have got it covered; and if you don't, we'll make it up. I don't like that idea. I think it encourages people not to have coverage.

This offers them coverage. The next step is telling them no to these others program; you should have had insurance.

Mr. CAPUANO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. ROS-LEHTINEN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–138.

Ms. ROS-LEHTINEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, strike lines 10 to 13.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. I thank the chairman.

My amendment is quite simple. It removes the 100 percent increase and possible flood insurance rate increases from the underlying bill. Currently, rate increases are capped at 10 percent a year; yet this bill would double that to 20 percent per year.

Homeowners in this down-turned economy can little afford to have this looming possibility. One in four Floridians is covered under the National Flood Insurance Program, and they collectively pay nearly $900 million in premiums per year. Since 1978, Florida policyholders have paid $14.1 billion in premiums and have received only $3.6 billion in payments. That is 3.9 times more in premiums than they received in claims.

Our residents, usually in high-risk flood areas, pay disproportionately more in premiums than they will likely ever see in payments on claims. Despite this fact, Floridians were near the cap of a 10 percent increase in the premium rates from the years 2009 and 2010, while the average national increase during the same time was 8 percent.

□ 1540

Despite these problems, the residents in my area say they need this program, but they need this cap where it is. People outside of at-risk areas file over 20 percent of NFIP claims and receive one-third of disaster assistance for flooding. Floridians, my constituents, know that the doubling of the amount that FEMA can charge for their flood insurance is aimed at them.

I urge my colleagues to support my amendment, which is one that will prevent unnecessary and unprecedented rate hikes for hardworking Americans on their flood insurance bills.

I yield the balance of my time to my good friend from Florida (Ms. WILSON).

(Ms. WILSON of Florida asked and was given permission to revise and extend her remarks.)

Ms. WILSON of Florida. I rise today in support of this bipartisan amendment that strikes a blow for fairness for those consumers who need flood insurance. I rise along with my colleagues from Florida: Representative ILEANA ROS-LEHTINEN, DAVID RIVERA, RUBÉN HINOJOSA, and RUSH HOLT.

I am a proud Floridian by birth. I make Florida my home. Most of my family and friends live in the great State of Florida. On top of our sunshine, Florida has a regular hurricane season and torrential rainfalls. The majority of the people who live in Florida live in this reality for the majority of their lives. However, flooding does not only affect the State of Florida, so I want to ensure that taxpayers who live in flood zones do not pay too much for their vitally needed flood insurance. This amendment is very simple:

It prevents flood insurance rates from potentially going up 100 percent. The current cap on flood insurance rate increases in a given year is 10 percent. My amendment would keep it that way. This commonsense, bipartisan amendment is fiscally responsible. It protects consumers, and it ensures that the National Flood Insurance Program will remain sound.

Mr. Chair, I rise today in support of my bipartisan amendment that strikes a blow for fairness for those consumers who need flood insurance. Along with my colleagues Reps. ILEANA ROS-LEHTINEN, DAVID RIVERA, RUBÉN HINOJOSA, and RUSH HOLT, I want to ensure that taxpayers who live in flood zones do not pay too much for their vitally needed flood insurance. My amendment is very simple. It prevents flood insurance rates from going up 100%. The current cap on flood insurance rates is ten percent. My amendment would keep it that way.

I am a proud Floridian by birth. I make Florida my home. Most of my family and friends live in the great State of Florida. On top of our sunshine, Florida has a regular hurricane season and torrential rainfalls. The majority of the people who live in Florida live with this reality for the majority of their lives. However, flooding does not only affect the State of Florida. Flooding is our Nation's most common disaster. While flooding affects every State, most private insurance companies do not offer their own flood insurance. Plus, standard homeowner insurance policies do not cover flooding.

In 1968, Congress started the National Flood Insurance Program, or the NFIP. This allows homebuyers to purchase flood insurance for their homes. In Florida, you cannot get a mortgage on your property if you do not have a flood insurance policy on your home. Ninety percent of all flood insurance is done through the NFIP. There are more than 20,000 NFIP communities throughout our nation and all of them are not in Florida.

Since 1978, Florida policyholders have paid 14.1 billion dollars in premiums and have had 231,595 individual losses and received ONLY $3.6 billion in payments—3.9 times more in premiums than they receive in claims. Yet Floridians had a 9.6% increase in premium rates from 2009 to 2010. Nationally, from 2009 to 2010, premiums increased an average of 8%.

The NFIP today covers approximately 5.6 billion households and businesses across the country for a total of $1.25 trillion in exposure. Forty percent of those policies are held in Florida, and one in four Floridians is covered under NFIP. Floridians collectively pay nearly $900 million in premiums per year.

The near $19 billion in debts held by the NFIP are mostly as a result of the 2005 hurricane season (Hurricanes Katrina, Rita, and Wilma) and the 2008 Midwest floods. While the average flood insurance policy is about $600 per year, residents of high-risk flood areas pay disproportionately more in premiums. However, these residents do not take near the same proportion in payments on claims. Furthermore, individuals outside of high-risk areas file over 20% of NFIP claims and receive one-third of disaster assistance for flooding.

The NFIP paid $709 million in flood insurance claims to homeowners, business owners, and renters in 2010. In fact, in 2010, New Jersey had the highest number of claims, and Tennessee had the highest payments on claims—not Florida. As a matter of fact, Florida was not in the top 10 in either category of claims or payments.

I thank the Chair for the time. My commonsense amendment is fiscally responsible, protects consumers, and ensures that the NFIP will remain sound.

Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Congresswoman ROS-LEHTINEN's amendment, while well intentioned, would prevent the National Flood Insurance Program from moving toward a more actuarially sound basis for calculating premiums in as quick a manner as possible.

The underlying bill provides that FEMA, at the discretion of the administrator, can increase the chargeable premiums for flood policyholders by up to 20 percent once every 12 months until the premium being paid properly reflects the risk associated with the property.

The amendment is intended to save policyholders from the ''sticker shock'' premium increases potentially pose, but the underlying bill addresses this concern by allowing for a gradual phase-in of the actuarial rates instead of an abrupt adjustment.

One of the core goals of this bill is to move the NFIP towards a more actuarially sound, properly functioning program, and any amendment to slow down that effort must be opposed.

The amendment would strike part of section 5 that would increase annual limits on premium rates. It increases from 10 to 20 percent. The sponsors of the amendment have stated that their objective is to prevent a 100 percent increase in possible premium hikes, but what it's doing is really going to delay our being able to have a more actuarially sound basis for calculating the premiums in as quick a manner as possible.

Section 5 really addresses this concern by phasing in all of the non pre-FIRM properties to full actuarial rates over time to eliminate the subsidy and to allow the premiums paid for policies to reflect the risk covered by those policies. So I would oppose this amendment.

Mr. HOLT. Mr. Chair, I rise in support of this bipartisan amendment to maintain the 10 percent statutory NFIP premium increases.

While it is important to keep NFIP authorized and to begin solving its funding problems, we must make sure we are improving participation in the program and keeping premiums affordable. Low participation in NFIP in high-risk areas has been one of the program's most persistent challenges.

That is why I joined my colleagues in sponsoring this amendment. Doubling the maximum premium rate increase from 10 to 20 percent would hurt existing policyholders nationwide and in my Central New Jersey district.

If homeowners get hit with annual premium increases in excess of 10 percent, I am concerned that that they will decide flood insurance is something they can do without. And when a catastrophic event occurs, taxpayers will pick up the tab with disaster aid.

I have heard from homeowners, flood plain managers, insurers, and realtors in my congressional district about the importance of passing an extension of NFIP. Although I am pleased that we are considering the underlying bill, we should be encouraging more homeowners to obtain flood insurance, not placing an extra burden on policyholders who are doing the right thing protecting their homes from flood.

I ask my colleagues to join me supporting this amendment.

Mrs. BIGGERT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. WALBERG

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–138.

Mr. WALBERG. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, after line 3, insert the following new subsection:

(i) MORATORIUM ON FLOOD MAP CHANGES.—

(1) MORATORIUM.—Except as provided in paragraph (2) and notwithstanding any other provision of this Act, the National Flood Insurance Act of 1968, or the Flood Disaster Protection Act of 1973, during the period beginning upon the date of the enactment of this Act and ending upon the submission by the Council to the Administrator and the Congress of the proposed new mapping standards required under subsection (c)(1), the Administrator may not make effective any new or updated rate maps for flood insurance coverage under the national flood insurance program that were not in effect for such program as of such date of enactment, or otherwise revise, update, or change the flood insurance rate maps in effect for such program as of such date.

(2) LETTERS OF MAP CHANGE.—During the period described in paragraph (1), the Administrator may revise, update, and change the flood insurance rate maps in effect for the national flood insurance program only pursuant to a letter of map change (including a letter of map amendment, letter of map revision, and letter of map revision based on fill).

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, the amendment I am offering today addresses the most pressing concern my constituents have with the National Flood Insurance Program, and that problem is inaccurate flood maps.

I certainly understand that the NFIP is on shaky financial ground, and I commend Chairman BACHUS and Congresswoman BIGGERT and the Financial Services Committee for their work in crafting this bill; but as we vote today to put the NFIP on a path to solvency, we must not let this opportunity to strengthen the program pass us by.

Since I returned to Congress in January, my office has been barraged with letters and phone calls expressing concerns about the new and revised flood insurance rate maps that FEMA is rolling out in my district. These maps determine whether property owners will be required to purchase flood insurance, and evidence shows that the current mapping methods are oftentimes inaccurate, onerous or punitive; and while this insurance represents an essential lifeline to some property owners who face a real risk of flood damage, it is a costly, unnecessary mandate on those who face no actual threat of being flooded.

I am encouraged that the underlying bill, H.R. 1309, establishes a Technical Mapping Advisory Council to review the current mapping standards and that it proposes revised standards to be implemented by the FEMA administrator. Within 12 months of organization, the TMAC is required to report to Congress and the administrator on how to improve mapping methodology. H.R. 1309 clearly instructs the TMAC on their task, and that is to ensure that the flood insurance rate maps reflect true risk and that the most current and accurate data is used.

I look forward to receiving this report from TMAC and to the administrator's implementation of the new mapping standards; but in my view, this review is a tacit admission that the current practices are not working and that they represent a poorly implemented government mandate that cannot continue. The maps FEMA has been rolling out across the country are not based on the best information available, and this needs to stop.

My amendment improves on the work of the TMAC, simply requiring that, while the TMAC studies the best possible mapping methods, none of our constituents will be at risk of inclusion in a new map that uses the faulty, questionable methods currently in place. Simply put, this amendment would implement a moratorium on the issuance of new flood maps until the TMAC has done its due diligence and has issued its report on new mapping standards.

I am glad to have the support of Chairman BACHUS, and I ask that you support me in voting for this commonsense amendment.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. While I understand the gentleman's concern about the accuracy of the FEMA maps, this bill does contain a 3-year delay of mandatory purchase and a 5-year phase-in thereafter. That's 8 years. We already have mechanisms in this bill that would insulate homeowners from the sticker shock of mandatory purchase while still alerting them to the fact that they actually live in a flood zone.

I am very concerned that, in the absence of any maps, we place our homeowners and communities in the dark about the risks they may be facing. This is why the bill does not delay the maps, themselves, but only the mandatory purchase requirement. So, while I understand the gentleman's concerns, I must oppose his amendment.

I yield back the balance of my time.

□ 1550

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. CARDOZA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–138.

Mr. CARDOZA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 23, after the semicolon insert ''and''.

Page 37, strike lines 1 through 3.

Page 37, line 4, strike ''(C)'' and insert ''(B)''.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARDOZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that would remove onerous requirements on properties that already have existing flood protection and would prevent unnecessary economic harm to communities already struggling to recover.

My amendment strikes the language in the legislation requiring FEMA to include on its flood maps areas of residual risk. I'm offering this amendment because large areas across the country, such as large parts of the Central Valley and Los Angeles and Orange Counties, are already protected by existing levees and have no history of flooding, but would find themselves in newly designated ''residual risk'' floodplains under H.R. 1309. Such a policy would essentially map the entire area in the new residual risk flood zone as though the levee that had been protecting the community for years had never existed. This would have a significant economic impact, and in many cases more than double the insurance premiums of those regions throughout the country.

In the area I represent of Stockton, California, and other affected areas of the San Joaquin Valley, this bill would place in the floodplain an additional 280,000 people who currently have flood protection provided by significant levees.

In 1995, annual premium payments were estimated at $30 million. The CBO estimates that rates will more than double under this bill, totaling an estimated $68 million in annual premiums from the greater Stockton area alone. Floodplain building restrictions for these protected areas would have an even greater impact on the cost of construction. These building restrictions would substantially increase the cost of home construction and severely impact housing affordability at a time when the housing market is already on life support in my area.

For my district and many other districts across the country, entire communities would be mapped into the floodplain. Mapping areas that have existing flood protection for residual risk effectively amounts to double taxation of these regions, where citizens are paying taxes to the local flood control agencies and then having to pay additional flood insurance as well as a result of being mapped into these areas.

This mapping requirement would also remove an important incentive for State and local governments to invest in flood control projects. If communities will still have to buy flood insurance after they improve and protect their communities, then why would they devote precious resources to these expensive projects? The cost benefits just simply wouldn't exist.

Mr. Chairman, at this point, I would like to yield 1 minute to my colleague from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I rise in support of the amendment offered by Mr. CARDOZA.

He and I are fortunate to represent San Joaquin County in California, which is home to many, many miles of levees and waterways. His amendment is especially important to our constituents.

While the ''residual risk'' section of H.R. 1309 may be well intended, I believe it should be removed. We all believe that homeowners living in high-risk areas for flooding should have an insurance policy, but this language is overly broad and will hurt my constituents.

I've consulted closely with flood control officials from my district who share this concern and have expressed strong support for this amendment.

Our country is experiencing tough economic times, and we should take great care to protect homeowners from unnecessary burdens. Our homeowners are losing their homes; let's not give them an extra burden that will send many of them into the street.

I am proud to rise in support of this amendment offered by my colleague, Mr. CARDOZA, which will significantly improve the bill we are considering today.

Mr. CARDOZA. Mr. Chairman, I urge my colleagues to vote for this commonsense amendment and prevent undue economic harm to our communities.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Under H.R. 1309, FEMA is required to update its flood maps according to the Technical Mapping Advisory Council's recommendations within 6 months or report to Congress why it has rejected them. As part of the new standard for the flood insurance rate maps, FEMA must include in any rate map areas of residual risk, including areas behind levees, dams and other manmade structures. I'm afraid that the Cardoza amendment would fail to provide homeowners with a real assessment of their risks, thereby impairing their ability to prepare for such natural disasters.

And to address concerns about the mapping process, H.R. 1309 reinstates the Technical Mapping Advisory Council to bring in the expertise and perspectives of other stakeholders in FEMA's process for setting new mapping standards. The amendment I think would weaken these new mapping standards that are designed to give homeowners and the NFIP an accurate portrait of flood risk, and I would oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARDOZA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. MCGOVERN

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112–138.

Mr. MCGOVERN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, line 4, before ''**OBTAINING**'' insert ''**AND COMMUNITIES**''.

Page 55, line 5, before the period insert ''**OR REVISION**''.

Page 55, line 14, after ''1973'' insert '', or a community in which such a property is located,''.

Page 55, line 15, before ''due'' insert '', or a letter of map revision,''.

Page 55, line 19, after ''behalf,'' insert ''or such community, as applicable,''.

Page 56, line 2, after ''owner'' insert ''or community, as applicable,''.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I will be brief.

My amendment is simple. If FEMA makes a mistake in designing a flood map, communities can be reimbursed for the cost of mounting a successful challenge. If FEMA makes a mistake in mapping a flood area, then they should pay for it. Doing so will result in significant savings for cities and towns and homeowners. And to me, this is something that should be noncontroversial and hopefully wins bipartisan support.

Mr. Chair, I was pleased that the Rules Committee made in order my amendment to H.R. 1309.

My amendment is simple: if FEMA makes a mistake in designing a flood map, communities can be reimbursed the costs of mounting a successful challenge.

Currently, communities that dispute FEMA's flood elevations can hire a private engineering firm to get a ''second opinion'' flood map.

While this may sound like an attractive option, it puts small communities in a very difficult financial position. Hiring a private engineering firm is expensive and cost-prohibitive for many small communities.

On the one hand, if the community decides that it's too expensive to get a second opinion, homeowners are forced to pay higher, or in some cases, needless flood insurance premiums.

On the other hand, if the community does mount a successful challenge to the original FEMA map, homeowners are spared from having to pay the higher flood insurance premiums. But, the town must still pay the costs associated with obtaining that second map.

I've heard of many small communities that are forced into this tough situation, including the Town of Holliston in my district. There is substantial evidence to support the case that the FEMA flood map is inaccurate, but town officials are struggling to find a way to pay the estimated $30,000 it would cost to conduct a second engineering study.

I feel for these town officials. They want to do the right thing and help their residents, but these small towns are already cash-strapped and cutting funding left and right for essential services like teachers, cops and firefighters. There simply is no money for a legitimate but expensive second opinion map.

If FEMA makes a mistake in mapping a flood area, they should pay for it. Doing so would relieve towns like Holliston from the enormous burden of fixing a mistake they did not make and saving residents hundreds of dollars in unnecessary flood insurance premiums.

I urge my colleagues to support my amendment.

Mr. Chairman, I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. BRADY OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112–138.

Mr. BRADY of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, after line 9, insert the following new section:

**SEC. 20. NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREAS.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(n) NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREA.—In revising or updating any areas having special flood hazards, the Administrator shall provide to each owner of a property to be newly included in such a special flood hazard area, at the time of issuance of such proposed revised or updated flood insurance maps, a copy of the proposed revised or updated flood insurance maps together with information regarding the appeals process under section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104).''.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Mr. Chairman, this amendment might well be described as the ''Homeowner's Right to Know.''

The original bill, H.R. 1309, contains several very positive notification requirements to help ensure that our constituents are more aware of the National Flood Insurance Program, the flood mapping process, and how they can protect their property from the risk of flood. However, one critical area in which the underlying bill needs to require adequate notification is when a homeowner is being newly added into a revised or updated flood map.

□ 1600

My amendment would require the FEMA Administrator to provide a copy of a flood insurance risk map to property owners who are newly added to such a map along with information regarding the appeals process at the time the map is issued. The purpose is simple: One, bring more transparency to the flood mapping process; and, two, protect homeowners' rights by ensuring they have adequate notice their property is being added to the floodplain while ensuring that they have the information about the appeals process.

Too often, homeowners aren't even aware that FEMA is making changes to the flood maps in their communities until after a map is finalized and they receive a notice from their mortgage lender that they are now required to purchase flood insurance. Perhaps just as often, properties are not only unknowingly added to the floodplain, but they are added based on inconsistent or inaccurate data used by FEMA to create the maps. As a result, many homeowners are forced into buying flood insurance for the first time and mandated to do so when, in fact, their flood risk hasn't changed.

Constituents in my own district have experienced these issues firsthand. One county in my district has been going through the remapping process for the past couple of years. Last year, FEMA introduced a draft map that would have added literally thousands of homes into the floodplain. In one portion of the county, I would estimate that nearly 10 percent of the total number of homes would be added by FEMA's draft map, yet few people were even aware. I know they weren't aware because I had conversations with insurance agents who write flood policies in the community, and they weren't aware. I have had major developers who are building in that area talk to me about other related issues but didn't know about the new draft map. To make matters worse, we believe the map was technically inaccurate. FEMA was using incongruent data. As a result, new floodplains were proposed when, in fact, flood risk could not increase.

In a second community, the outcry was so great that FEMA had to come back for a public town hall meeting to discuss the mapping process after the map went into effect. Local residents started getting notifications from their lenders that they needed to purchase flood insurance, and they simply didn't know why. My office received calls from residents in one portion of that community where the homes have been confirmed as nearly 8 feet above the highest recorded level of flooding in that area ever, but they were now in the floodplain. No one had bothered to tell them.

My amendment would ensure that in all these scenarios the homeowner would simply be notified that their home was potentially being added to a floodplain and tell them about their right to appeal. Homeowners deserve to be informed when the government is making decisions that impact their property. This simple amendment will ensure that they do.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, as I understand it, the amendment is perfectly fine, and we hope that it will be adopted.

The Acting CHAIR (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Texas (Mr. BRADY).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. SHERMAN

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 112–138.

Mr. SHERMAN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

**SEC. 21. FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.**

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

''(d) FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.—Notwithstanding any other provision of this Act, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.''.

Strike line 23 on page 64 and all that follows through page 65, line 5, and insert the following new section:

**SEC. 24. REQUIRING COMPETITION FOR NATIONAL FLOOD INSURANCE PROGRAM POLICIES.**

(a) REPORT.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with insurance companies, insurance agents and other organizations with which the Administrator has contracted, shall submit to the Congress a report describing procedures and policies that the Administrator shall implement to limit the percentage of policies for flood insurance coverage under the national flood insurance program that are directly managed by the Agency to not more than 10 percent of the aggregate number of flood insurance policies in force under such program.

(b) IMPLEMENTATION.—Upon submission of the report under subsection (a) to the Congress, the Administrator shall implement the policies and procedures described in the report. The Administrator shall, not later than the expiration of the 12-month period beginning upon submission of such report, reduce the number of policies for flood insurance coverage that are directly managed by the Agency, or by the Agency's direct servicing contractor that is not an insurer, to not more than 10 percent of the aggregate number of flood insurance policies in force as of the expiration of such 12-month period.

(c) CONTINUATION OF CURRENT AGENT RELATIONSHIPS.—In carrying out subsection (b), the Administrator shall ensure that—

(1) agents selling or servicing policies described in such subsection are not prevented from continuing to sell or service such policies; and

(2) insurance companies are not prevented from waiving any limitation such companies could otherwise enforce to limit any such activity.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. I rise to offer an amendment that is coauthored by Chairman BACHUS and by my friend GREGORY MEEKS from New York. It is a bipartisan and, I hope, noncontroversial amendment.

This flood insurance program is usually a partnership between private companies and the Federal Government. The Write Your Own Program involves the companies servicing the policies. And one major company that used to write policies in this area decided to pull out of the program and turned over 800,000 policies to the Federal Government. The whole idea behind the program is that the Federal Government will administer as few of these insurance policies as possible.

The purpose of this amendment is to require that the vast majority of these policies be made available to be handled by private insurance companies. It is simply a privatization amendment. This includes language in the amendment designed to protect the agents of State Farm, which is the company that is no longer in this business, ensuring that they will be able to continue servicing the policies that shift from the Federal Government to private insurance companies. This is an effort to ensure that these policies are taken off the taxpayers' books without interfering in the relationship between consumers and their insurance agents.

I would hope that this would be a noncontroversial amendment. As I said, it is supported by the chairman of the committee and is offered on his behalf as well as the gentleman from New York (Mr. MEEKS).

With that, I reserve the balance of my time.

Mr. BACHUS. I rise to claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Alabama is recognized for 5 minutes.

There was no objection.

Mr. BACHUS. Mr. Chairman, this is a commonsense amendment. As many of us on the Financial Services Committee know, the flood insurance program is a public-private partnership where private insurance companies write the coverage and service the policies, with the government setting the coverage and the requirements.

Recently, State Farm Insurance decided that they no longer wanted to participate in the program, and they transferred—I guess that's a nice word. An unflattering term which is more accurate would be they dumped 800,000 policies back on the Federal Government. This was after they collected premiums and their agents sold the coverage.

This amendment would make changes to that, where if an insurance company wants to participate in the plan, they can; if they want to profit from the plan, they can. But they don't have the unilateral right to dump those policies back on the government agencies.

Prior to that, there were about 150 policies that the government was administering directly.

What this amendment would do is called a depopulation amendment. It directs FEMA and the National Flood Insurance Program to take those policies and distribute them among insurance companies who are willing to service those contracts. And I'm happy to report to the Congress and the Members that many mainline insurance companies have agreed to take up these policies.

Out of respect for State Farm agents, many of whom I think were displeased and surprised by their parent company abandoning these policies, it would give them the right to also service those policies. However, there may be some legal problems with that, but we at least don't rule that out.

The depopulation of these policies—and by that, the return to what the program was set up to function like, and that was with private servicers and agents. Handling the policies would be done over a 1-year time frame.

I actually believe that we should have actually depopulated more than we did, but we did this as an accommodation to FEMA and to some of the State Farm agents. I think this is a noncontroversial amendment.

Mr. JOHNSON of Illinois. Mr. Chair, I rise today in opposition to the amendment offered by Mr. Sherman and would like to make a few points.

First, I would like to point out that I fully understand and support the goal of encouraging private sector involvement in offering flood insurance and exploring ways to diminish unnecessary reliance on government programs.

However, I am not convinced that this amendment gets us any closer to achieve this goal. In fact, this Amendment may actually put Congress in the position of picking winners and losers in the market place, interfering with private contracts, and creating millions of dollars in new federal spending.

I would like to make the following points:

Regardless of whether a flood insurance policy is provided through NFIP Direct or through a WYO insurer, the federal government is responsible for all losses covered under the policy. Regardless of whether a policy is issued by NFIP Direct of a WYO insurer, a private company will handle all aspects of policy issuance and claims administration and these services will be paid for through the federal government.

FEMA has informed Congress that private contractors handling NFIP Direct policies can manage the recently transferred policies for $50 million less each year than WYO carriers. This is a savings of $250 million for the life of the bill.

Redistribution of these policies destroys consumer choice and dictates to consumers the company and agent they are required to use for flood insurance while taking property from the agents who produce the business. This redistribution affects flood insurance policy holders and insurance agents in every Congressional District across the country.

The only thing this amendment accomplishes is the forcible transfer of polices from one group to another, with absolutely no cost savings and no improvement in customer service.

There are many questions to answer, and I believe the Committee took the right step in requesting a study before acting on the issue. Unfortunately, we seem to be acting today before we have these answers.

I would like to submit the following statements: (1) A summary of the issue provided to the Senate Banking Committee in connection with their hearings on NFIP authorization; and (2) A letter from FEMA to House Financial Services and Oversight and Investigations Subcommittee Chairman NEUGEBAUER answering questions about the redistribution amendment and highlighting the increased cost to taxpayers of this amendment.

STATE FARM INSURANCE—JUNE 30, 2011

STATE FARM FIRE AND CASUALTY COMPANY (STATE FARM) VIEWS ON EFFORTS TO REDISTRIBUTE NFIP DIRECT POLICIES TO WRITE YOUR OWN INSURERS

State Farm supports reauthorizing the National Flood Insurance Program (NFIP) and would like to take this opportunity to clear up any confusion surrounding State Farm's and its agents' participation in the NFIP and the operational differences between flood insurance policies distributed through the Write Your Own (WYO) program and NFIP Direct.

*I. The Proposed Redistribution of NFIP Policies Will Not Decrease the Federal Government's Risk*

Unfortunately, under the guise of NFIP "reform," the attributes of the WYO and NFIP Direct distribution channels have been mischaracterized in order to pursue an ill-advised scheme to enlist the federal government's powers to take insurance business marketed, solicited, and sold by one group of private insurance agents and redistribute those policies to other agents and companies who had no role in generating these policies in the first instance. There are proprietary rights of insurance agents at stake in this matter.

Characterized as NFIP "depopulation," this scheme hijacks familiar terminology relating to programs used in several states that transfer insurance policies out of state-run insurance pools into the private sector. However, unlike "depopulation" at the state level, where the entire risk of a policy is shifted to the private insurer, the scheme as advocated for NFIP merely redistributes customers, policies, and revenues associated with administering those policies from private businesses connected with NFIP Direct to selected WYO insurers. No changes are made in the risk bearing of companies in the

WYO distribution channel. The federal government retains 100% responsibility for paying all covered flood losses.

Far from being an effort towards privatization reform, the true nature of WYO participation is captured best in the U.S. Securities and Exchange Commission filing of a firm that is the largest WYO insurer—Fidelity National Financial, Inc. As described in the firm's most recent Form 10–K for calendar year 2010:

''We earn fees under [the NFIP] program for settling flood claims and administering the program. We serve as administrator and processor in our flood insurance business, and bear none of the underwriting or claims risk. The U.S. federal government is guarantor of flood insurance coverage written under the NFIP and bears the underwriting risk. Revenues from our flood insurance business are impacted by the volume and magnitude of claims processed as well as the volume and rates for policies written. For example, when a large number of claims are processed as a result of a natural disaster, such as a hurricane, we experience an increase in the fees that we receive for settling the claims.''

The suggestion that this confiscatory redistribution scheme would shrink the public sector while growing the private sector is wrong. It also completely ignores the fact that, just like the WYO program, NFIP Direct fully utilizes the private sector in handling flood insurance policies.

To be clear:

(1) Regardless of whether a flood insurance policy is provided through NFIP Direct or through a WYO insurer, the policy provides federal insurance coverage and the federal government is responsible for all losses covered under the policy;

(2) NFIP redistribution is a confiscatory scheme that does not diminish federal obligations on a flood insurance policy placed with a WYO insurer;

(3) Whether a policy is issued by NFIP Direct or a WYO insurer, a private company will handle all aspects of policy issuance and claims administration and these services will be paid for through the federal government;

(4) Since NFIP costs are funded entirely with federal monies and FEMA utilizes private parties for handling policies under both the WYO program and NFIP Direct, there are no demonstrated federal savings from redistributing federal flood insurance policies from NFIP Direct to WYO insurers;

(5) Redistribution of NFIP Direct policies to WYO insurers does nothing to increase consumer participation rates which are critical to program solvency; redistribution actually creates disincentives for more than 17,000 agents to increase such participation rates; and

(6) Redistribution destroys consumer choice and dictates to consumers the company and/or agent they are required to use for flood insurance while taking property from the agents who produced the business.

Following is more detailed background information.

*II. Background on NFIP*

*a. The WYO Program and State Farm's Participation*

The NFIP program has been in place since 1968. The NFIP's WYO program began in 1983 through statute and federal rule as a financial arrangement between participating property and casualty insurers and the Federal Emergency Management Agency (FEMA). The WYO program permits participating property and casualty insurers to sell and service the NFIP's standard flood insurance policies in their own names. Although participating insurance companies receive an expense allowance for policies written and claims processed, the federal government retains full responsibility for underwriting losses and all premiums paid by purchasers of flood insurance go into the US. Treasury. Currently, about 88 insurance companies participate in the WYO arrangement with FEMA; this is a decrease from previous years.

Insurers participate in the program through a WYO Arrangement. FEMA publishes the WYO Arrangement, which is a federal rule, in the Federal Register before the end of August every year. Each WYO insurer considers annually whether or not to sign the WYO arrangement.

State Farm began its WYO participation in 1985. Following its entry in the program, each year State Farm carefully evaluated its continuing participation in the WYO Arrangement. In recent years, NFIP has presented a more challenging landscape of changing requirements and directives which requires the expenditure of resources with varying degrees of notice and clarity of instruction. In addition, the WYO program's continuing existence became more uncertain with each gap in authorizations and there were numerous occasions when the program was allowed to lapse. These situations complicated our ability to serve our customers' needs. Subsequently, State Farm made a very difficult business decision to no longer participate in the WYO Arrangement.

*b. Transition to NFIP Direct and Meeting Customer Needs:*

Based on existing regulations, State Farm's orderly transfer plan was structured in a way that permitted State Farm agents to continue servicing their customers' needs through NFIP Direct, regardless of whether State Farm itself participated as a WYO insurer. For example, under the Arrangement, a WYO company has the option to sell its book of business to another WYO insurer (subject to FEMA approval) or to transfer policies to the NFIP Direct program. State Farm exercised the option to transfer the policies to the NFIP Direct Program, which avoided the potential for substantial customer confusion and disrupting the relationship customers have with their State Farm agent. More specifically, in utilizing NFIP Direct, the State Farm agent remains the agent of record on transferred policies. This means that State Farm's decision to discontinue participation in the WYO Arrangement did nothing to undermine our exclusive independent contractor agents' ability to continue servicing the needs of their flood insurance customers who maintained or sought federal flood insurance protection in the future. From a consumer perspective, this seamless transition of the policies was effortless; renewal of flood insurance coverage did not require any additional steps by policyholders. The customer placed their coverage as they did previously—through their State Farm agent, an individual who was a familiar face to the customer and had an existing understanding of the customer's property and needs.

State Farm did not receive any compensation for its orderly transfer of policies to NFIP Direct. Of approximately 800,000 policies, State Farm has transferred to date over 550,000 policies. Each State Farm WYO policyholder has already received a notice regarding the transfer plan. Each policyholder has also received or will receive a second notice prior to the policy transfer.

*c. The Critical Role of State Farm Agents*

Perhaps more important to the functioning of NFIP, active agent participation in the marketing and selling flood insurance is a significant issue of concern to FEMA. It is widely recognized that one major shortcoming of the NFIP is that the purchase of flood insurance is often limited to only those who need coverage or are mandated to purchase coverage in connection with the purchase of a home. This limited demand impedes the ability of the NFIP to broaden its insurance base to satisfy a fundamental tenet of insurance underwriting—spreading the risk of loss among a larger and more diverse pool of policyholders who are unlikely to experience losses at the same time. Consequently, an agent workforce actively engaged in marketing and soliciting NFIP policies is a critical component of making the program more actuarially sound.

Indeed, FEMA recognized that having State Farm agents actively market and sell NFIP Direct policies is a major benefit to the program. However, if the federal government were to redistribute policies brought into NFIP by an agent to another company or agent (which includes commissions), the incentive for agents to originate policies in NFIP Direct would be removed without any commensurate benefit, which would undermine the entire program. Equally pernicious, it would be tantamount to a government taking of business property from individual businessmen and businesswomen solely for the benefit of another private party.

*III. Proposed Redistribution Scheme Offers No Cost Advantage: Private Parties Handle the Servicing of all NFIP Policies Regardless of Who Distributes Them*

Contrary to the assertions made by supporters of NFIP ''depopulation,'' the confiscatory redistribution of NFIP Direct policies to WYO insurers will not create smaller government, increase the role of the private sector, or diminish the government's risk of loss on flood insurance policies. All NFIP policies have an agent of record that handles the sales and some aspects of servicing. These agents may or may not be associated with a WYO company, but they are paid a commission through NFIP, regardless of whether they are affiliated with a WYO company or not. A similar pattern is followed for claims handling where private sector parties service all NFIP claims regardless of how they are distributed.

Claims handling for NFIP Direct policies is done by a private contractor, Computer Sciences Corporation (CSC), through a competitively bid contract. Furthermore, as described in its own marketing materials, CSC provides identical services to several WYO carriers, including some of the largest. As a result, there is a strong probability that the so-called ''reforms'' achieved through confiscatory redistribution would do nothing more than transfer the handling of flood insurance policies from CSC under its NFIP Direct hat to CSC wearing its WYO hat. Significantly, the proponents of confiscatory redistribution have not produced any evidence suggesting that their servicing will save the NFIP money. Indeed, the only difference for policies so redistributed would be that insurance agents—primarily small businesspeople who sold the flood policy in the first instance, would see their book of business confiscated by the federal government and simply handed over to another company. This is not reform and is not about ''making the government smaller.''

*IV. Proposed Redistribution Scheme Destroys Consumer Choice*

Another insidious result of NFIP confiscatory redistribution is the elimination of consumer choice and engaging the federal government to forcibly require consumers to accept companies and/or agents with whom they have no prior relationship, or, even worse, whom they have affirmatively rejected in the past. Far from creating a seamless transition for consumers, redistribution generates several problems. For example, if a consumer has chosen to work with an agent and has been with an agent for many years, should the federal government overrule the consumer's choice through redistribution? What if a policy has been redistributed to a company with whom the consumer does not want to do business? Does the consumer have any control? Does the federal government really want to be involved in this type of decision?

*V. Conclusion*

''Depopulation'' of NFIP is a myth. Current efforts along these lines are nothing more than a scheme to use the federal government's authority to redistribute existing policies from one group of private insurance agents and give that business to other private entities. This confiscatory redistribution scheme makes no changes in the federal government's risk exposure under NFIP, fails to increase participation rates in purchasing flood insurance, provides no demonstrated savings to the federal government, and destroys consumer choice. Such measures should be opposed.

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U.S. DEPARTMENT OF HOMELAND SECURITY,
*Washington, DC, June 27, 2011.*

Hon. RANDY NEUGEBAUER,
*Chairman, Oversight and Investigations Subcommittee, Financial Services Committee, House of Representatives, Washington, DC.*

DEAR CHAIRMAN NEUGEBAUER: Thank you for your letter of May 23, 2011, in which you requested clarification of the Federal Emergency Management Agency's (FEMA) position on a proposed ''depopulation amendment'' to H.R. 1309. As a preliminary matter, please accept my assurances that FEMA is committed to administering the National Flood Insurance Program (NFIP) in a manner that provides affordable insurance combined with a floodplain management program designed to reduce the nation's risk from flood. Since 1983, FEMA has taken advantage of the expertise of the private insurance industry through the Write Your Own (WYO) program, and we remain convinced that a public-private partnership provides the appropriate vehicle for administering the NFIP.

Below are FEMA's responses to your questions.

*1. Please explain in detail how the NFIP plans to expand its ability to administer the additional 800,000 policies which State Farm is ceding to the NFIP program, when it is currently handling approximately 120,000 policies under the NFIP Direct program? What is the anticipated additional annual expense to the program to administer this vastly expanded book of business?*

The NFIP Direct program is administered by a contractor acting as FEMA's servicing agent. That contractor, Computer Sciences Corporation (CSC), has increased its capacity to process the transferred policies by hiring additional staff. State Farm will transfer the policies to NFIP Direct on a monthly basis as they expire. The transition is already underway, with all policies anticipated to be transferred by September 30, 2011.

We estimate that the transfer will reduce NFIP expenses by about $50 million a year for FY 2012 and subsequent years. During FY 2011 while the policies transition from State Farm to NFIP Direct, the savings will be slightly less. NFIP policyholders and the National Flood Insurance Fund will share the $50 million in savings. Thirty million dollars of the savings comes from our full-risk policyholders, and the NFIP will pass the savings back to them through slightly lower premiums. We estimate that the average savings per policy will be about $7, which will be a 1.5% premium reduction. Twenty million dollars of this savings comes from our subsidized policyholders. By retaining that savings within the NFIP, we can slightly reduce the average amount of the subsidy and there will be more funds available either to pay claims or to reduce the current borrowing.

*2. Does FEMA or the NFIP support, oppose, or take a neutral position with respect to an amendment to HR. 1309, which would have required the NFIP to make the right to service these policies available to other WYO companies, their agents, or to independent agents in a timely, orderly and reasonable manner?*

Without seeing the specific language of the amendment, FEMA would oppose such an amendment unless it allowed, but did not require, the individuals who hold the State Farm policies to move to other companies. Requiring the policies to be transferred to other WYO companies, their agents, or independent agents could harm agents who work with State Farm because State Farm prohibits its agents from working with any other insurance companies, so its agents would have to choose between continuing to work with State Farm or continuing to work with the individuals who hold the State Farm flood insurance policies. FEMA does plan to notify policyholders of their right to voluntarily move from the NFIP Direct program to other companies or agents at the time of policy renewal. We estimate that providing such notifications will cost NFIP over $900,000 annually.

*3. What, if any, contractual obligations prevent FEMA or the NFIP from making available to the remaining WYO companies the right to service flood insurance policies no longer being serviced by State Farm? If such contracts or agreements exist, please provide a copy to my staff in electronic format.*

State Farm policyholders may move from the NFIP Direct program to a WYO company, and FEMA plans to notify policyholders of that fact at the time of their policy renewals.

Without seeing specific legislative language, FEMA cannot fully assess the nature of the contractual obligations that may be impacted by an amendment. However, to require FEMA to transfer the policies to a WYO company could impact existing contractual obligations.

FEMA has a contractual agreement with the Computer Science Corporation (CSC) to act as its NFIP Direct servicing agent. As the NFIP Direct servicing agent, CSC services flood insurance policies sold directly by FEMA, collects premiums, adjusts and settles claims, and disseminates insurance information to the public, lenders, and agents. Prior to State Farm's decision to terminate its participation in the WYO Program, CSC acted as NFIP Direct servicing agent for approximately 150,000 policies. In March 2011, FEMA competitively awarded a contract to CSC to handle approximately 900,000 State Farm policies that will move to NFIP Direct upon policy renewal. The contract is valid for five years. Because of the increased volume of business now handled by NFIP Direct, FEMA negotiated a 40% per policy discount on the amount charged for each policy handled by CSC through NFIP Direct, which is a significant cost savings to NFIP. Pursuant to the newly-awarded contract, CSC has stepped up its operations, including hiring new employees to assist in servicing the 900,000 new NFIP Direct policies.

Additionally, as explained below, the State Farm insurance agents have contractual obligations that make it difficult to implement a broad-based transfer of policies.

*4. Does NFIP currently possess the legal authority to offer the right to service these policies to the remaining WYO companies, their agents, or independent agents? If so, have there been any efforts on the part of the NFIP to make these rights available to these companies or agents? If the NFIP does in fact have such authority, and if there have been no such efforts to utilize that authority to return these rights to the private market, why has NFIP not made these rights available to the remaining WYO companies or agents? Does NFIP intend to make these rights available to the private market?*

Once a policy has been transferred to NFIP Direct, FEMA has the authority to allow the policy to be written by participating WYO companies, and typically, policies tend to migrate to WYO companies as those companies compete for the business. FEMA is committed to notifying the insureds in NFIP Direct of the option to take their business elsewhere and has formulated a proposal to provide notice upon policy renewal.

Without seeing the specific language of the amendment, FEMA cannot fully assess the legal implications of such an amendment. However, there are impediments to requiring FEMA to offer the opportunity to service NFIP Direct policies to WYO companies, their agents, or independent agents, particularly with respect to policies that were written by State Farm insurance agents.

When the State Farm policies transfer to NFIP Direct at the time the policies are renewed, State Farm agents will be the agents of record for the policies. While State Farm allows its agents to work with NFIP Direct to provide policyholders with flood insurance, the company prohibits its agents from working with any other private insurance companies. Therefore, State Farm agents would have to choose between continuing to work with State Farm or continuing to work with the approximately 900,000 policyholders who have other lines of insurance with the agents. Moreover, mandating that all, or a certain subset, of NFIP Direct policies be transferred to WYO carriers would harm the agents of record on those policies if those agents are not affiliated with the particular WYO carrier that receives those policies.

Requiring FEMA to offer the opportunity to service NFIP Direct policies to WYO companies, their agents, or independent agents could also create a disincentive to policy renewal and negatively affect the number of policies in force because of the additional steps that would be required to obtain a new carrier and transfer the policy to the new carrier. This may require a policyholder to obtain more than one agent to handle all of their insurance needs. Additionally, such a provision could limit individual citizens' right to choose their insurance agent because some policyholders may not be able to work with their current agents if those agents are not affiliated with the particular WYO carriers that received the policyholder's business from the NFIP Direct.

Although the NFIP has not transferred NFIP Direct policies to the WYO insurers, their agents, or independent insurance agents for the reasons provided above, the NFIP intends to advise NFIP Direct policyholders of the option to move their policies to another WYO carrier or to continue with NFIP Direct at the time their policies are renewed. This notification will inform policyholders that they have a choice about who handles their business, while allowing the policyholders' current agents the opportunity to compete to retain that business.

I trust that this information is helpful. If you have further questions or concerns, please do not hesitate to contact the Federal Emergency Management Agency's Legislative Affairs at Division.

Sincerely,

EDWARD L. CONNOR,
*Deputy Federal Insurance and Mitigation Administration Insurance.*

I yield back the balance of my time.

Mr. SHERMAN. I move the adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was agreed to.

□ 1610

AMENDMENT NO. 17 OFFERED BY MR. LOEBSACK

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 112–138.

Mr. LOEBSACK. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

**SEC. 21. APPEALS.**

(a) TELEVISION AND RADIO ANNOUNCEMENT.—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended—

(1) in subsection (a), by inserting after ''determinations'' by inserting the following: ''by notifying a local television and radio station,''; and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: ''and shall notify a local television and radio station at least once during the same 10-day period''.

(b) EXTENSION OF APPEALS PERIOD.—Subsection (b) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(b)) is amended—

(1) by striking ''(b) The Director'' and inserting ''(b)(1) The Administrator''; and

(2) by adding at the end the following new paragraph:

''(2) The Administrator shall grant an extension of the 90-day period for appeals referred to in paragraph (1) for 90 additional days if an affected community certifies to the Administrator, after the expiration of at least 60 days of such period, that the community—

''(A) believes there are property owners or lessees in the community who are unaware of such period for appeals; and

''(B) will utilize the extension under this paragraph to notify property owners or lessees who are affected by the proposed flood elevation determinations of the period for appeals and the opportunity to appeal the determinations proposed by the Administrator.''.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Iowa (Mr. LOEBSACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. LOEBSACK. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Congresswoman BIGGERT for bringing this bill to the floor. I look forward to supporting this important legislation that will address many of the issues I have been experiencing in my district, and ones that I know are occurring all across the country.

In Iowa, we are all too familiar with the flood insurance program because of the devastating floods of 2008, and again on the Missouri River in western Iowa this summer. We also have many communities throughout the State going through the mapping process. Unfortunately, due to a lack of adequate notification during the process of flood mapping, many homeowners continue to be surprised when they find out that their homes are newly placed in a floodplain and they will be required to purchase flood insurance.

My amendment will help ensure communities and property owners that are affected by new maps are made aware of the process taking place from the beginning. Currently, FEMA is only required to publish notice of new flood elevations in a local newspaper. For one community in my district, this translated literally to a paragraph in the legal notice section. My amendment will require FEMA to notify not only the local paper, but also a local television and radio station, because I think it's time we update this law to be more reflective of all the media our constituents use daily.

Ensuring communities have the information needed at the beginning is one step. The next is ensuring that there is appropriate time and ability for communities and property owners to appeal the drafts. Currently, there is a 90-day appeal period for property owners to dispute FEMA's draft maps. Many property owners don't find out this process is taking place until after the map is finalized, meaning the 90-day appeal period has long passed, and they no longer have the ability to ensure their houses are not included in the final map in error.

My amendment ensures that communities and property owners have an additional 90 days to appeal the draft maps if they weren't aware of the original appeal period and believe there are property owners that haven't been made aware of the appeals process already.

I think we can all agree that every property owner who might be affected by flood maps should have an opportunity to fully participate in the established process, and that we should strive to have the most accurate maps possible. My amendment will ensure that homeowners have the information they need to make informed decisions and preparations at the beginning of the process and fully participate in the existing appeals process.

The more homeowners that are aware of flood maps, the more participation there is in the process, in the program; and the more accurate our maps will be. Greater map accuracy will give us better awareness of the flood risks in our communities and allow homeowners and community leaders alike to take steps to mitigate and prepare for that risk.

I urge my colleagues to support this amendment on behalf of property owners in all of our districts.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I claim time in opposition to the amendment, even though I support the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. Mr. Chairman, I rise in support of this amendment.

I think that proper and effective notification by FEMA allows the protection provided by the NFIP to reach out to those who need it. And the amendment also includes provisions designed to benefit communities that believe that they have been incorrectly mapped in the flood program, further enhancing the validity of the maps by providing an appeal for newly mapped areas. I support it.

I reserve the balance of my time.

Mr. LOEBSACK. In closing, I urge my colleagues to support this amendment. Again, I thank Mrs. BIGGERT for her support of this amendment.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I would like to commend Mr. LOEBSACK for his amendment. I also would like to say that because it does require or ask that TV and radio be utilized to get the word out, the next amendment by the lady from Michigan actually would—and I have taken no position on her amendment—but it actually asks that national flood insurance not incur advertising expenses. And I think there is some good points to that, some bad points. But as this amendment proves, the local stations themselves and the local media can get these things out. So that might be a point in favor of her first amendment.

I am very opposed to her second amendment. I don't want the Members to confuse support, or at least non-opposition to her first amendment, as support for her second. But I commend the gentleman, and I think it's a good sense amendment and would urge strong support to the Loebsack amendment.

Mrs. BIGGERT. I now yield 2 minutes to the gentleman from Illinois (Mr. JOHNSON).

Mr. JOHNSON of Illinois. I thank the distinguished sponsor and would preface my comments by saying I am strongly in support of Congresswoman BIGGERT's superb piece of legislation.

However, I rise today in opposition to this amendment offered by Representative SHERMAN. I would like to point out first that I fully understand and support the goal of encouraging private sector involvement and exploring ways to diminish unnecessary reliance on government programs. However, I am not convinced, in fact I am unconvinced, this amendment gets us any closer to achieving that goal. In fact, this amendment may put Congress in the position of choosing winners and losers in the marketplace, interfering with private contracts, and creating millions of dollars in new Federal spending.

I would like to make the following points: regardless of whether a flood insurance policy is provided through NFIP Direct or WIO, the Federal Government's responsible for all the losses incurred under the policy. FEMA has informed Congress that private contractors handling NFIP Direct policies can manage the recently transferred policies for $50 million less, which is a saving of $250 million over the life of the bill. I don't have to tell any individuals in today's world what that means.

Redistribution of these policies destroys, in my judgment, consumer choice, dictates to consumers the company and agent they are required to use for flood insurance, while taking property from the agents who produce the business. This redistribution affects flood insurance policyholders and insurance agents in every district in the country.

Really, the only thing this amendment does is the forcible transfer of policies from one group to the other with not only no cost savings, with significant costs to the Federal Government. A lot of questions to answer.

I believe the committee and Representative BIGGERT took the right approach in requesting a study before acting on the issue. Unfortunately, today, we seem to be acting contrarywise before we have these answers. With all due respect again to the sponsor of the amendment, and certainly in concert with the sponsor of the bill, I urge a ''no'' vote on this amendment.

Mrs. BIGGERT. I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I think the gentleman from Illinois was arguing on the last amendment, not this amendment. If the Members will take everything he said, transfer it to the amendment before, it would be appropriate. But I disagree with his argument.

Mrs. BIGGERT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. LOEBSACK).

The amendment was agreed to.

□ 1620

AMENDMENT NO. 19 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 112–138.

Mr. WESTMORELAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

**SEC. 21. RESERVE FUND.**

(a) ESTABLISHMENT.—Chapter I of the National Flood Insurance Act of 1968 is amended by inserting after section 1310 (42 U.S.C. 4017) the following new section:

**''SEC. 1310A. RESERVE FUND.**

''(a) ESTABLISHMENT OF RESERVE FUND.—In carrying out the flood insurance program authorized by this title, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the 'Reserve Fund') which shall—

''(1) be an account separate from any other accounts or funds available to the Administrator; and

''(2) be available for meeting the expected future obligations of the flood insurance program.

''(b) RESERVE RATIO.—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

''(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

''(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

''(c) MAINTENANCE OF RESERVE RATIO.—

''(1) IN GENERAL.—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

''(A) to maintain the reserve ratio required under subsection (b); and

''(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

''(2) CONSIDERATIONS.—In exercising the authority under paragraph (1), the Administrator shall consider—

''(A) the expected operating expenses of the Reserve Fund;

''(B) the insurance loss expenditures under the flood insurance program;

''(C) any investment income generated under the flood insurance program; and

''(D) any other factor that the Administrator determines appropriate.

''(3) LIMITATIONS.—In exercising the authority under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates and annual increases of such rates.

''(d) PHASE-IN REQUIREMENTS.—The phase-in requirements under this subsection are as follows:

''(1) IN GENERAL.—Beginning in fiscal year 2012 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

''(2) AMOUNT SATISFIED.—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

''(3) EXCEPTION.—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

''(e) LIMITATION ON RESERVE RATIO.—In any given fiscal year, if the Administrator determines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to the Congress that—

''(1) describes and details the specific concerns of the Administrator regarding such consequences;

''(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

''(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

''(f) AVAILABILITY OF AMOUNTS.—The reserve ratio requirements under subsection (b) and the phase-in requirements under subsection (d) shall be subject to the availability of amounts in the National Flood Insurance Fund for transfer under section 1310(a)(10), as provided in section 1310(f).''.

(b) FUNDING.—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (8), by striking ''and'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(10) for transfers to the National Flood Insurance Reserve Fund under section 1310A, in accordance with such section.''.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. I want to thank Chairwoman BIGGERT for her hard work on this bill and the ranking member, Mr. GUTIERREZ, and the gentlewoman from California, who is the overseer of this program.

This amendment is a forward thinking amendment to put the flood insurance program on sound footing. Consider this amendment the national flood insurance emergency fund. Currently premiums come in, payments go out, but nothing is reserved for the events that no one can predict.

Claims are paid with existing premiums and everyone crosses their fingers that nothing really bad happens.

If incoming premiums are not enough, then the National Flood Insurance Program has no other option than to ask for a bailout.

In fact, the NFIP program has carried debt in 18 of the past 30 years. Most interesting of all is that not all of these years saw catastrophic flooding. FEMA just didn't do a good job managing premiums and claims. It's clear that in good years and in bad the flood insurance program does not have a good grasp on how much they will pay out in claims.

However, when catastrophic flooding does happen, the NFIP program is even less prepared for the claims. The year of 2005 was one of those years that nobody could predict. Hurricanes Katrina, Rita, and Wilma together cost $17 billion in losses for the National Flood Insurance Program. Six years later, including principal and interest, the NFIP debt is now $18 billion.

Every year it seems like flooding impacts a wide swath of the United

States, and 2011 has been no different. No one can predict the weather. What NFIP needs is the ability to save up to help smooth out those unpredictable years. If the program could stash money away in good times, it would have money to pay for the years when the estimates were incorrect.

My amendment does just that. It establishes a reserve fund in NFIP. This is just common sense, so much so, NFIP is one of the few Federal funds that does not have a reserve fund. FHA has a 2 percent reserve requirement. The FDIC deposit insurance fund is required to have a 1.35 percent reserve ratio.

Now I want to take a moment to address some of the possible concerns with the amendment.

First, this amendment does not expand the NFIP to other catastrophic events, like earthquakes or tornados. This fund and the bill remains specific to flooding.

Second, the administrator gets the funds from the existing premiums. The administrator and this amendment are bound to adhere to the parameters established in the underlying bill on premium rates and annual increases.

Third, this amendment does not take away from debt repayment. Any premium collected would be spent to cover losses because the program is running up the deficit. This takes precedent.

At some point in the future, the program might be able to collect enough to cover all costs and set aside a reserve. But given the magnitude of the current debt, this is not likely to occur in the short-term.

Finally, this amendment does not stand in the way of reinsurance opportunity for the flood program. I support reinsurance for the flood program and firmly believe that both reinsurance and a reserve fund can coexist.

In fact, many private insurers reserve for losses and purchase reinsurance. Private insurers will use reserve funds as a deductible for reinsurance coverage.

However, I fundamentally believe that as long as taxpayers are involved, it's an ultimate backstop. This program needs a reserve. It is not responsible to tell taxpayers no more bailouts but offer no solution to the ongoing bailout of NFIP.

If there is no reserve fund, there will be more bailouts. It is just a matter of when.

Adopting this amendment would address a fundamental deficiency in the program that is ripe for bailouts. I urge adoption of the amendment.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I oppose the gentleman's amendment.

In drafting this bill, the chairwoman and I sought to strike the right balance between protecting homeowners and strengthening the flood insurance program. I believe that the bill before us today does just that.

Unfortunately, I do not believe that the gentleman's amendment strikes the same balance. Specifically, by creating a reserve fund, the gentleman's amendment would allow the NFIP to increase insurance premiums on homeowners.

So regardless of their flood risk, homeowners will have to pay more in order to fund a reserve fund that will never have enough money to pay out claims for catastrophic events. This isn't fair to our taxpayers, Mr. Chairman, and, in fact, would stall the already slow recovery of the housing market.

I understand the problem that the gentleman is attempting to solve. We all know that the flood insurance program is over $17 billion in debt due to claims resulting from Hurricane Katrina.

However, I think we have to be clear that Hurricane Katrina was a catastrophic, once in a lifetime event. Prior to Katrina, the flood insurance program operated completely in the black.

In addition, I believe that the bill contains many provisions that would allow the flood insurance program to reform its premium structure so that it can collect the premiums it needs to pay out claims. For example, the bill ends subsidies for 350,000 pre-FIRM properties, including second homes, commercial properties, homes with new owners, homes substantially damaged or improved, and homes with repetitive claims.

By making these properties pay actuarial rates that reflect their full risk, the bill would make these properties pay their fair share, thereby increasing the amount of funding to the flood insurance fund.

Mr. Chairman, while I believe that the gentleman's amendment is very well intended, I believe that it is unnecessary given the strong reforms in this bill and the potential problems it may cause for homeowners, particularly those that have been phased into actuarial rates.

For these reasons, Mr. Chairman, I must oppose the amendment and I would urge a ''no'' vote.

I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I respect the gentlewoman's opinion, and I know that she is very familiar with this program, but I don't think a reserve fund would cost anybody any additional money. It does not go up on premiums. The premium amount stays the same.

This is a rainy day thing, excuse the pun, a fund that would be there. It would not even be started until this current $18 billion in debt is paid off. But we are fooling ourselves if we think that we can predict the weather, if we think we know when Katrina or Rita or Wilma is going to come.

This fund would only be established after the debt is repaid, and so it's a very commonsense measure to have this reserve fund, as many other government agencies do.

With that, I would ask for a ''yes'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 20 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 112–138.

Mrs. MILLER of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, after line 22, insert the following new section:

**SEC. 23. TERMINATION OF BROADCAST PERSONIFIED FLOOD INSURANCE COMMERCIALS.**

(a) PROHIBITION.— The Administrator of the Federal Emergency Management Agency may not, after the date of the enactment of this Act, obligate any amounts for purchasing time or space for any advertisement or commercial for flood insurance coverage under the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.). This subsection may not be construed to prohibit obligation of amounts for dissemination of information regarding such program to holders of flood insurance policies under such program.

(b) REDUCTION OF NATIONAL FLOOD INSURANCE FUND DEBT.—Any amounts made available to the Administrator and allocated for advertising or commercials described in subsection (a) that remain unobligated on the date of the enactment of this Act shall be used only for reducing the debt of the National Flood Insurance Fund incurred pursuant to the authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016).

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, today I am offering an amendment that would end TV and radio ads that I believe to be a total waste of taxpayers' dollars. Over the past 2 years FEMA has actually spent over half a million dollars on the production of what they called ''Home Personified flood insurance commercials.'' These slick commercials sort of depict actors with roofs hovering over their heads talking about the need to obtain flood insurance, and about the fact that one in four homes are in a high-risk flood zone, and they pitch to contact FEMA for a free brochure about the program.

□ 1630

These commercials between April of 2010 and April of 2011 cost over $7 million in airtime to broadcast all across the 50 States, and they are slated to be aired for an additional year at least. Seven million dollars spent on promoting the National Flood Insurance Program, which is a federally mandated flood program, which has been mentioned all across the day here, is already almost $18 billion in debt. I would say, why not spend that $7 million to pay back the American taxpayers? Or better yet, to begin paying off the program's $18 billion in debt?

Mr. Chairman, last year in the election in the fall, the American people sent a very clear message to Washington. And I don't think the message to Congress here was urging us to spend millions of dollars of taxpayers' money on TV commercials asking them to put money into a failing, bloated, and completely unnecessary government program. No, they were demanding that we get a grip on government spending, on out-of-control government spending, and they were asking us to end programs where the government is trying to fill a role best done by the private sector.

Shortly, Mr. Chairman, all of us in this House, in the Congress, in both Chambers, are going to be asked to raise the national debt limit because we have not been able to get our fiscal house in order. And this week, here we are being asked to renew a Federal program that is over $17 billion in debt currently, all of which falls on the backs of the American taxpayers, and we need to raise the debt ceiling of the flood insurance program, as well, to almost $25 billion. Who cares? I guess it's just taxpayers' money.

If we want to stop adding to our national debt, we should not continue the Federal flood insurance program—and I'm going to be offering an amendment to that in a moment—nor should we continue to spend millions each year on TV commercials for a program that constituents in many, many States, most of the States across the Nation, are wondering about, at a minimum, and many of them are outraged. I certainly hear from my constituents back in Michigan who are looking for some relief. These hard-pressed taxpayers from my State are asking for less spending, for less government, for lower taxes and less government intrusion into their lives. They're certainly not asking us for wasteful government programs to be shoved down their throats on television with television ads.

My amendment today, Mr. Chairman, to end unnecessary spending on TV commercials for the National Flood Insurance Program will be a downpayment on the relief that we owe to the American taxpayers who are concerned about these commercials that seem to be on repeat all across the airwaves in all of the States across our Nation.

Mr. Chairman, I would ask that my colleagues support this amendment today and vote in favor of saving money, taxpayers' money, for the American taxpayers.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I oppose the gentlewoman's amendment.

The gentlewoman's amendment would prohibit FEMA from spending any funds on television or radio commercials to promote the purchase of flood insurance.

Floods are the most common natural disaster in the United States. Unfortunately, even areas that aren't in floodplains experience floods sometimes. When that happens, the Federal Government provides aid to those homeowners and communities, and it is the taxpayer who pays for that aid.

Under the National Flood Insurance Program, insurance premiums pay for the cost of flood damage. Therefore, if homeowners outside floodplains buy flood insurance, taxpayers won't be on the hook if their properties flood. However, in order to have these homeowners buy flood insurance, they have to learn about the program and its benefits to them. This is where radio and television advertising are helpful—essential, that is. The ads reach a wide audience and present clear facts about the availability and affordability of flood insurance.

To take away FEMA's ability to let the people know what's available to them would actually place the millions of Americans who choose and are not required to purchase flood insurance at risk. Given these times of record deficits, this is simply irresponsible. That is why I urge a ''no'' vote on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Chairman, I would simply observe that, for the most part, the reason that folks, property owners, get national flood insurance is because the Federal Government holds a gun to their heads and says that you cannot get a federally backed mortgage unless you buy Federal national flood insurance through the National Flood Insurance Program. So I don't think we have to spend millions and millions of dollars to convince them to do something that, in my mind, I question whether it is even constitutional that we are forcing people to do this kind of a thing; but I certainly don't think we need to spend millions of dollars to notify them of something that we are mandating for them.

Certainly if you live in a flood-prone area, you probably know it. And with everything going on in the Nation, I just can't believe we're wasting money like this. And I would certainly urge my colleagues to support this amendment.

I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, as I mentioned earlier, when the gentlelady offered her views during the general discussion, she certainly does not join with her colleagues who have joined with us in a bipartisan way to produce a bill that is in the best interests of all of the citizens of this country. As a matter of fact, I have referred to her views on this issue as rather radical. I think that for us to have an insurance program that allows participation by the average citizen so that they can be in a position to make themselves whole after a disaster, to basically repair their homes, to replace their furnishings, and to basically have a way of continuing a decent quality of life is not too much to ask of your government.

So I would oppose this amendment and consider this amendment also just as radical. To say that you have a program but you can't tell anybody about it simply does not make good sense.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. SCOTT

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 112–138.

Mr. SCOTT of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 70, after line 5, insert the following new section:

**SEC. 27. STUDY OF ALL-PERIL INSURANCE COVERAGE FOR RESIDENTIAL PROPERTIES.**

(a) STUDY.—The Comptroller General of the United States shall conduct a study to determine various means and methods by which a market could be established, and the effectiveness and feasibility of each such means and method, for providing all-peril insurance coverage for residential properties. Such study shall analyze and determine, for only residential properties with mortgages insured under the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for all residential properties—

(1) whether a viable insurance market could be established, including by establishment of a Federal program for reinsurance for such all-peril insurance coverage and by other means and methods;

(2) the effects of each such means and method of establishing such a market in facilitating and encouraging the private insurance market to develop and offer all-peril insurance products for residential properties;

(3) the cost of such all-peril insurance coverage for various types of residential properties; and

(4) the effects that requiring such insurance coverage would have on prices for existing housing and for housing constructed in the future.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report describing the study conducted pursuant to subsection (a) and the analysis conducted under such study, and setting forth the results and determinations of the study.

(c) ALL-PERIL INSURANCE.—For purposes of this section, the term ''all-peril insurance'' means, with respect a residential property, insurance coverage meeting the following requirements:

(1) SUBSTANTIAL DEDUCTIBLE.—The coverage is made available subject to a substantial deductible in relation to the amount of coverage provided.

(2) COVERED LOSSES.—The coverage covers only damage and losses to the property that—

(A) render the property uninhabitable or substantially impair the habitability of the property; and

(B) result from any of the following hazards—

(i) movement of the earth, including earthquakes, shockwaves, sinkholes, landslides, and mudflows;

(ii) water damage, including floods, sewer back-ups, and water seepage through the foundation;

(iii) war, including undeclared war and civil war;

(iv) nuclear hazards, including explosion of nuclear devices and nuclear reactor accidents;

(v) governmental action, including the destruction, confiscation, or seizure of covered property by any governmental or public authority; or

(vi) bad repair or workmanship on a property, use of faulty construction materials in a property, or defective maintenance to a property.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment today to propose what I believe would be a proactive solution for homeowners when they face unforeseen disasters. My amendment will simply ask the GAO to report to Congress the means and effects of facilitating a market for all-peril insurance policies. This amendment comes directly from an issue faced by many of my constituents and in nearly 4,000 households around the country—problems associated with the unforeseen disaster caused by the use of toxic Chinese drywall.

Over the last 5 years, nearly 4,000 homes in over 40 States have been discovered to contain toxic Chinese drywall. This drywall has been tested by the Consumer Product Safety Commission and has been found to be responsible for hazardous chemicals oozing into these homes. Americans living in these homes have experienced everything from cold and flu-like symptoms to migraine headaches, chronic nosebleeds, gastrointestinal problems, and other debilitating symptoms.

Homeowners with homes tainted with toxic drywall have had the expectation that the costs associated with remediating their home would be covered by their homeowner's insurance policy. But virtually all of their policies exclude from coverage many of the different classes of damages. In the case of Chinese drywall, a standard homeowner's policy does not cover ''losses to property resulting from faulty zoning, bad repair or workmanship, faulty construction materials, or defective maintenance.'' And so these families are stuck with paying mortgages and have homes that are essentially uninhabitable.

This problem is not limited to just Chinese drywall. In the aftermath of hurricanes, many homeowners discover that they are not covered for water damage and frequently have to argue whether or not their home was destroyed by water or by wind. Sinkholes, which are normally associated with areas with histories of mining or seismic activity are springing up outside of these typical areas, and homeowners are learning the hard way that they are not covered by damages caused by them.

I believe that homeowners need all-peril insurance, insurance that covers homeowners from catastrophic losses regardless of cause, provided, of course, that the homeowners did not cause the loss themselves.

□ 1640

All-peril plans would be supplemental insurance policies that would cover losses resulting from any of the causes currently excluded from the standard homeowners policy. These policies could be limited to catastrophic losses and provide for substantial deductibles and possibly only cover losses that rendered a property uninhabitable.

With that in mind, Mr. Chairman, my amendment would direct the GAO to fully study the implications of an all-peril policy. Why can't a policy be bought now? Is there no interest in it? Could the Federal Government successfully market the plans with the private sector? I feel that answers to these questions are needed.

What we do know is that when circumstances beyond a homeowner's control make a home uninhabitable, the last thing they want to do is look through a policy and find that their completely destroyed home isn't protected by the insurance policy that they bought. It is for this reason that I offer the amendment, Mr. Chairman, for a GAO study and ask that the amendment be adopted.

I reserve the balance of my time.

Mrs. BIGGERT. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman.

This amendment, which would direct the GAO to conduct a study on all-peril insurance policies for residential properties, to me really expands beyond the scope of this bill.

Fundamental reform of the National Flood Insurance Program should be the priority of this Congress, including the removal of subsidies over time to improve the long-term solvency of the program. In contrast, the Scott amendment would dramatically increase the scope at a time when government insurance programs, such as the NFIP, are essentially insolvent and remain grossly underfunded.

If the gentleman would like to have an all-peril study, he has the option to write a letter to the GAO and request such a study, and that will be done, but to tie it into the flood insurance makes it seem like we're going to expand the flood insurance when we're really trying to decrease the expansion and really to bring in the private sector to do this. I really think that this is way beyond what we should be doing.

His amendment would pave the way to expand the Federal Government's role in the private insurance market by creating a massive new program to offer government-provided coverage backed by taxpayer dollars against property losses. If the gentleman is really interested in the drywall particularly, this is something that he can ask for a study on that, and it really should not be within the scope of this bill.

I would urge opposition to this amendment.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, this study would not affect the underlying provisions of the bill. The priorities of the bill remain the priorities of the bill. This would just affect the situation where people find their homes uninhabitable and are looking for help.

This does not have to be a government program. The GAO could recommend that it could be a private program and possibly get out of the flood insurance business altogether if it covered all perils.

I would hope that we would at least study the issue to see if it is feasible. Anybody who has talked to people with Chinese drywall and find that their house is uninhabitable, they're paying their mortgage, they don't have anywhere to go, they can't afford another mortgage, and their insurance policy that they paid premiums for every month, month after month after month, doesn't cover anything. I think if you're buying insurance, it ought to insure you for unforeseen circumstances, and that is what this study would provide.

I hope you would adopt the amendment.

I yield back the balance of my time.

Mrs. BIGGERT. I yield back the balance of my time and request a ''no'' vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BIGGERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 25 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 112–138.

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''National Flood Insurance Program Termination Act of 2011''.

**SEC. 2. TERMINATION OF NATIONAL FLOOD INSURANCE PROGRAM.**

(a) TERMINATION OF AUTHORITY TO PROVIDE COVERAGE.—Effective January 1, 2012, the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator'') shall not provide any new flood insurance coverage, or renew any coverage provided before such date, under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(b) TREATMENT OF EXISTING COVERAGE.—Subsection (a) shall not—

(1) affect any flood insurance coverage provided under such Act under a contract or agreement entered into before the date specified in such subsection and, notwithstanding the repeals under section 3, such provisions as in effect immediately before such repeal shall continue to apply with respect to flood insurance coverage in force after such repeal; or

(2) require the termination of any contract or other agreement for flood insurance coverage entered into before such date.

(c) WIND-UP.—After the date specified in subsection (a), the Administrator shall take such actions as may be necessary steps to wind up the affairs of the National Flood Insurance Program.

(d) TREATMENT OF FUNDS.—Amounts in the National Flood Insurance Fund established under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) shall be available to the Administrator for performing the functions of the Administrator with respect to flood insurance coverage remaining in force after the date specified in subsection (a). Upon the expiration of the contracts and agreements for such coverage, any unexpended balances in such Fund shall be deposited in the Treasury as miscellaneous receipts.

(e) SAVINGS PROVISIONS.—

(1) TREATMENT OF PRIOR DETERMINATIONS.—The repeals made by section 3 of the provisions of law specified in such section shall not affect any order, determination, regulation, or contract that has been issued, made, or allowed to become effective under such provisions before the effective date of the repeal. All such orders, determinations, regulations, and contracts shall continue in effect until modified, superseded, terminated, set aside, or revoked in accordance with law by the President, the Administrator, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PENDING PROCEEDINGS.—

(A) EFFECT ON PENDING PROCEEDINGS.—The repeals made by section 3 shall not affect any proceedings relating to the National Flood Insurance Program, including notices of proposed rulemaking, pending on the effective date of the repeals, before the Federal Emergency Management Agency, except that no assistance or flood insurance coverage may be provided pursuant to any application pending on such effective date. Such proceedings, to the extent that they relate to functions performed by the Administrator after such repeal, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Administrator, by a court of competent jurisdiction, or by operation of law.

(B) CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the discontinuance or modification of any proceeding described in subparagraph (A) under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) ACTIONS.—This section shall not affect suits commenced before the effective date of the repeals made by section 3, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this section had not been enacted.

(4) LIABILITIES INCURRED.—No suit, action, or other proceeding commenced by or against an individual in the official capacity of such individual as an officer of the Federal Emergency Management Agency having any responsibility for the National Flood Insurance Program shall abate by reason of the enactment of this section. No cause of action relating to such Program, by or against the Federal Emergency Management Agency, or by or against any officer thereof in the official capacity of such officer having any responsibility for such program, shall abate by reason of the enactment of this section.

**SEC. 3. REPEALS AND CONTINUATION OF FEMA MAPPING RESPONSIBILITIES.**

(a) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 is amended—

(1) by striking section 1302 (42 U.S.C. 4001);

(2) by striking chapters I and II (42 U.S.C. 4011 et seq.);

(3) in section 1360 (42 U.S.C. 4101)—

(A) in subsection (a)(2), by striking ''until the date specified in section 1319'';

(B) by striking subsection (d);

(C) in subsection (g)—

(i) by striking ''To promote compliance with the requirements of this title, the'' and inserting ''The'';

(ii) by striking ''directly responsible for coordinating the national flood insurance program'';

(iii) in the last sentence, by striking ''National Flood Insurance Fund, pursuant to section 1310(b)(6)'' and inserting the following: ''General Fund of the Treasury and shall be used only for reducing the budget deficit of the Federal Government''; and

(D) in subsection (i)—

(i) by striking ''free of charge'' and inserting ''at cost'';

(ii) by striking ''and States and communities participating in the national flood insurance program pursuant to section 1310 and at cost to all other'' and inserting '', States and communities, and other interested''; and

(iii) in the he last sentence, by striking ''National Flood Insurance Fund, pursuant to section 1310(b)(6)'' and inserting the following: ''General Fund of the Treasury and shall be used only for reducing the budget deficit of the Federal Government'';

(4) by striking sections 1361A (42 U.S.C. 4102a);

(5) in section 1363(e) (42 U.S.C. 4104(e)), by striking the third and fifth sentences; and

(6) in section 1364 (42 U.S.C. 4104a)—

(A) in subsection (a)—

(i) in paragraphs (1) and (2), by striking ''or the Flood Disaster Protection Act of 1973'' each place such term appears; and

(ii) in paragraph (3)—

(I) by striking subparagraphs (B) and (C) and inserting the following:

''(B) a statement that flood insurance coverage may be available in the private market or through a State-sponsored program; and''; and

(II) by redesignating subparagraph (D) as subparagraph (C);

(B) by striking subsections (b) and (c);

(7) in section 1365 (42 U.S.C. 4104b)—

(A) in subsection (a), by striking ''and in which flood insurance under this title is available''; and

(B) in subsection (b)—

(i) by striking paragraph (1); and

(ii) in paragraph (2)—

(I) in the first sentence, by striking ''the community identification number and community participation status (for purposes of the national flood insurance program) of the community in which the improved real estate or such property is located,''; and

(II) in the third sentence, by striking ''because the building or mobile home is not located in a community that is participating in the national flood insurance program or'';

(8) by striking sections 1366 and 1367 (42 U.S.C. 4104c, 4104d);

(9) in section 1370 (42 U.S.C. 4121)—

(A) by striking paragraphs (3), (4), (5), (7), (14), and (15);

(B) in paragraph (12)(B), by striking the semicolon at the end and inserting ''; and'';

(C) in paragraph (13), by striking the semicolon at the end and inserting a period; and

(D) by redesignating paragraphs (6), (8), (9), (10), (11), (12), and (13), as so amended, as paragraphs (3), (4), (5), (6), (7), (8), and (9), respectively;

(10) by striking sections 1371 through 1375 (42 U.S.C. 4122–26);

(11) in section 1376 (42 U.S.C. 4127)—

(A) in subsection (a), by striking ''to carry out this title'' and all that follows through the end of paragraph (3) and inserting ''to carry out the mapping, studies, investigations, and other responsibilities of the Director under this title''; and

(B) by striking subsection (c); and

(12) by striking section 1377 (42 U.S.C. 4001 note).

(b) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 is amended—

(1) by striking section 2 (42 U.S.C. 4002);

(2) by striking section 102 (42 U.S.C. 4012a);

(3) in section 201 (42 U.S.C. 4105)—

(A) by striking subsection (a) and inserting the following new subsection:

''(a) As information becomes available to the Director concerning the existence of flood hazards, the Director shall publish information in accordance with section 1360(a)(1) of the National Flood Insurance Act of 1968 and shall notify the chief executive officer of each known flood-prone community of its tentative identification as a community containing one or more areas having special flood hazards.'';

(B) in subsection (b), by striking ''shall either (1) promptly make proper application to participate in the national flood insurance program or (2)'' and inserting ''may'';

(C) by striking subsections (c) and (d);

(D) by redesignating subsection (e) as subsection (c); and

(4) by striking section 202 (42 U.S.C. 4106).

(c) BUNNING-BEREUTER-BLUMENAUER FLOOD INSURANCE REFORM ACT OF 2004.—Title II of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (42 U.S.C. 4011 note).

(d) NATIONAL FLOOD INSURANCE REFORM ACT OF 1994.—The National Flood Insurance Reform Act of 1994 is amended by striking sections 561 (42 U.S.C. 4011 note), 562 (42 U.S.C. 4102 note), 578 (42 U.S.C. 4014 note), 579(b), and 582 (42 U.S.C. 5154a).

(e) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15 of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414) is amended by striking subsection (e).

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2012.

**SEC. 4. INTERSTATE COMPACTS FOR FLOOD INSURANCE COVERAGE.**

(a) CONGRESSIONAL CONSENT.—The consent of the Congress is hereby given to any two or more States to enter into agreement or compacts, not in conflict with any law of the United States, for making available to interested persons insurance coverage against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) RIGHTS RESERVED.—The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved to the Congress.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. I yield myself such time as I may consume.

I would begin by asking a very fundamental question: Why in the world is the Federal Government in the flood insurance business? Really, I do not understand it.

I don't think anyone should be surprised to learn that the Federal Government is not a very good insurance agent, that they run a terrible insurance program, as evidenced by the $18 billion in debt that the NFIP, the National Flood Insurance Program, has racked up over the years and will probably never repay. I don't think they'll ever repay it. If you don't believe me, you can consider the testimony that the administrator of FEMA made before the Financial Services Committee. In congressional testimony, he said the program will likely always be in debt, massive debt.

Congress set up the NFIP to ostensibly be an insurance company, but it is not held to the same standards as private insurance companies. Instead of holding cash reserves, the NFIP has a bottomless pit of money that it shamelessly taps into. That money pit is also known as the U.S. Treasury, or the American taxpayers. If the NFIP were a private insurance company, it would have gone bankrupt years ago, or it would have been in need of a Federal bailout. In other words, when this government-authorized Ponzi scheme runs out of money, it simply gets more by dipping into the pockets of taxpayers. Mr. Chairman, I would say that this is a program that would make Bernie Madoff blush.

The American people are fed up with bailouts, and this bill is just that: another bailout for another broken program. If we want to stop adding to our national debt, we should not continue the Federal flood insurance program.

My home State of Michigan is just one of a majority of States that is actually disadvantaged by this Ponzi scheme. The State House of Representatives has recently passed a resolution condemning the NFIP as fundamentally flawed and unfair, and I would expect the State Senate to follow suit shortly. So there is an entire State. I don't think that's radical.

My amendment would actually end the program at the end of this year and allow States to work together to form a regional coalition to shape insurance policies that meet the needs of their particular State. There is no way that a one-size-fits-all insurance program that dramatically subsidizes rates in some of the most flood-prone areas of our Nation while at the same time forcing those in less flood-prone areas to pay much higher rates can be sustained. States like mine will simply become fed up and opt out, which is what's going to happen, so that they can better protect their citizens. Then, of course, it would force this program even deeper into debt. It is time to end this program now.

My amendment would also, and perhaps more importantly, allow the private market to get into the flood insurance business without the Federal Government's unfair competition of politically based premiums, which would allow premiums to be set based on actual risk.

If you want to get a handle on out-of-control Federal spending and start eliminating government programs that do nothing except enforce bad policy and recklessly spend the taxpayers' money, I would ask my colleagues to support my amendment.

A RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO MAKE SIGNIFICANT REFORMS TO THE NATIONAL FLOOD INSURANCE PROGRAM

Whereas, Under the National Flood Insurance Program, most property owners must purchase flood insurance if their property is located within a mapped floodplain; and

Whereas, The Federal Emergency Management Agency (FEMA) has recently revised existing floodplain maps in Michigan that, in many cases, have increased the amount of land within the floodplain without adequate explanation of perceived additional flood risk. Flood insurance for buildings within redrawn areas is a significant added expense. These revisions amount to a penalty that will be felt far into the future, especially as the market value of impacted properties suffers needlessly; and

Whereas, The revised maps exacerbate disparities between the premiums paid by Michigan residents relative to claims received. Michigan residents have paid nearly five times as much in flood insurance premiums than they have received back in claims over the last 30 years. The remaining funds from these premiums goes to subsidize flood insurance claims in higher risk areas of the country; and

Whereas, The National Flood Insurance Program is operated without transparency to the public in rate-setting methods. Rebuilding within a floodplain has continued in higher risk areas of the country where multiple recent flood events have occurred, contributing to the $20 billion in debt of the National Flood Insurance Program. Rebuilding in very high risk areas would be avoided if flood insurance was set at actuarially sound rates; and

Whereas, The National Flood Insurance Program is fundamentally flawed and unfair. Year after year, the program takes money from property owners in most states and uses that money to rebuild in only a few states. Congresswoman Candice Miller has introduced legislation (H.R. 435) to eliminate the National Flood Insurance Program in 2013 and to authorize states to work together to provide flood insurance as they deem appropriate; and

Whereas, Congresswoman Judy Biggert has introduced legislation, the Flood Insurance Reform Act of 2011 (H.R. 1309), to begin the process of modernizing and reforming the National Flood Insurance Program; now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States to make significant reforms to the National Flood Insurance Program; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, June 21, 2011.

I reserve the balance of my time.

Ms. WATERS. I claim time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I strongly oppose this amendment.

The gentlewoman's amendment would terminate entirely the flood insurance program, which provides much needed insurance for 5.5 million homeowners. The flood insurance program was created in 1968 after record flooding led the private insurance industry to stop writing flood policies. The private sector didn't want to write these policies because floods are very common and very expensive. However, the Federal Government didn't want to simply write a blank check for homeowners every time it flooded. This is why the flood insurance program was created.

□ 1650

Mr. Chairman, I yield the balance of my time to the gentlewoman from Illinois, Chairwoman BIGGERT, who has worked so hard on this legislation.

The Acting CHAIR. Without objection, the gentlewoman from Illinois will control the time.

There was no objection.

Mrs. BIGGERT. I thank the gentlewoman for yielding.

I know we have had quite a bit of discussion about this already, but maybe we will bring this to a close with this amendment, for a while anyway.

Let me just say that the underlying bill really doesn't ask for additional borrowing authority. In fact, the reforms in the underlying bill will accelerate the ability of NFIP to pay down its debt. This bill is a revenue raiser and will bring in $4.2 billion to the program.

We have addressed the fact that there have been some problems with NFIP. I think there was some mismanagement, and there was a need for reform. That is why we have spent so much time on this bill to talk to all of the different groups, to talk to all of the Members who have had concerns.

I have got here a list. According to a broad coalition of industry experts and trade associations who all support this, more than 5.6 million policyholders depend on the NFIP as their only source of protection against economic devastation from a flood. In fact, I could read all of those who asked for a ''no'' vote on this amendment. We have the American Insurance Association, American Land Title Association, Building Owners and Management Association, CCIM Institute, Chamber SWLA, Council of Insurer Agents and Brokers, The Financial Services Roundtable, Independent Insurance Agents and Brokers of America, Institute of Real Estate Management, International Council of Shopping Centers, Manufactured Housing Institute, Mortgage Bankers Association, National Association of Home Builders, National Association of Mutual Insurance Companies, National Association of REALTORS, National Ready Mix Concrete Association, Society of Industrial and Office Realtors, Property and Casualty Insurance Association of America, The Risk and Insurance Management Society, and the U.S. Chamber of Commerce.

You know, if 5.6 million property owners can't rely on this, what is going to happen? What is going to happen is we wouldn't have flood insurance. And on May 13, the Financial Services Committee favorably reported the Flood Insurance Reform Act by a unanimous vote of 54–0. Anybody who doesn't think that is something on how much time we put into this and how much people care about it, 54–0 in this Congress, I don't think that has happened for a bill that is this important for a long, long time. It really reflects the hard work and the bipartisan support of the Financial Services Committee.

Again, it has a series of reforms that are going to make this a much better program. It improves the financial stability of the NFIP. It reduces the burden on taxpayers. It restores integrity to the FEMA mapping system and explores ways to increase private market participation. It helps to bring certainty to the housing market. I would oppose this amendment strongly.

I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I thank my friend and colleague from Michigan for yielding.

Mr. Chairman, I rise in strong support of this amendment to terminate the National Flood Insurance Program. The National Flood Insurance Program is, both in its design and execution, the worst Federal program I have encountered in my time in Congress.

This program levies a mandatory flood tax on homeowners who are at virtually no risk of flooding and see absolutely no benefit from the program. In western New York, the requirement to purchase flood insurance has increased mortgage costs and created economic dead zones in once-vibrant neighborhoods.

This amendment will finally end this unfair burden on homeowners in communities like Buffalo and Lackawanna, New York, who neither want nor need to purchase flood insurance. I urge my colleagues to support it as well. I thank the gentlelady from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, I would simply reiterate that I don't think this is something that the Federal Government should be involved in. If you are truly a friend of the taxpayers, and believe me, I appreciate the bipartisanship and the hard work about reforming this program. I understand the need to reform programs, but I also understand the need to get a handle on the Federal debt and deficit; and one way to do that is to eliminate unnecessary programs, not just nibble around the edges, which is what I think we are doing here today.

I certainly urge my colleagues to support this amendment.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield myself the balance of my time.

If this bill were not to pass and if this amendment were to be agreed to, it would be devastating to at least 20,000 communities if there was no flood insurance. Congress would inevitably have to bail out flood disaster victims, as it did prior to 1968; and it would cost so much more money. And the President would have to sign on to any devastation that might be made, as is what happened in Louisiana after Katrina. I oppose this amendment and support the underlying bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–138 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Ms. SPEIER of California.

Amendment No. 4 by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. CARDOZA of California.

Amendment No. 19 by Mr. WESTMORELAND of Georgia.

Amendment No. 20 by Mrs. MILLER of Michigan.

Amendment No. 23 by Mr. SCOTT of Virginia.

Amendment No. 25 by Mrs. MILLER of Michigan.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MS. SPEIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SPEIER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 230, not voting 6, as follows:

[Roll No. 554]

AYES—195

| | | |
|---|---|---|
| Ackerman | Capuano | Cuellar |
| Andrews | Cardoza | Cummings |
| Baca | Carnahan | Davis (CA) |
| Baldwin | Carson (IN) | Davis (IL) |
| Barletta | Castor (FL) | DeFazio |
| Bartlett | Chaffetz | DeGette |
| Bass (CA) | Chandler | DeLauro |
| Becerra | Chu | Dicks |
| Berkley | Cicilline | Dingell |
| Berman | Clarke (MI) | Doggett |
| Bishop (GA) | Clarke (NY) | Donnelly (IN) |
| Bishop (NY) | Clay | Doyle |
| Bono Mack | Cleaver | Edwards |
| Boswell | Clyburn | Ellison |
| Brady (PA) | Cohen | Engel |
| Braley (IA) | Connolly (VA) | Eshoo |
| Brown (FL) | Conyers | Farr |
| Burgess | Costa | Fattah |
| Butterfield | Costello | Filner |
| Camp | Courtney | Fitzpatrick |
| Campbell | Critz | Frank (MA) |
| Capps | Crowley | Fudge |

Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kingston
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Peters
Petri
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Rigell
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—230

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Canseco
Capito
Carney
Carter
Cassidy
Chabot
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Walberg
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—6

Cantor
Deutch
Giffords
Hinchey
Hoyer
Pelosi

□ 1731

Messrs. WESTMORELAND, RIBBLE, BLUMENAUER, GARY G. MILLER of California, HALL, and AKIN changed their vote from ''aye'' to ''no.''

Messrs. POSEY, UPTON, SHERMAN, Ms. ROS-LEHTINEN, Mr. PAUL, Mrs. BONO MACK, Messrs. BARTLETT, WALDEN, BURGESS, HOLDEN, KINGSTON, and HARRIS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 305, not voting 8, as follows:

[Roll No. 555]

AYES—118

Adams
Akin
Amash
Bachmann
Benishek
Bishop (UT)
Blackburn
Blumenauer
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Chabot
Chaffetz
Coffman (CO)
Conaway
Culberson
DesJarlais
Duncan (SC)
Duncan (TN)
Eshoo
Flake
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garamendi
Gardner
Garrett
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Griffith (VA)
Harris
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
Kingston
Kline
Labrador
Lamborn
Lankford
Latta
Long
Lummis
Mack
Marchant
Marino
McCaul
McClintock
McDermott
McMorris Rodgers
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunnelee
Olson
Paul
Paulsen
Pence
Pitts
Poe (TX)
Pompeo
Posey
Quayle
Quigley
Reed
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Stark
Stutzman
Sullivan
Thornberry
Tipton
Upton
Van Hollen
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Young (IN)

NOES—305

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleming
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Huizenga (MI)
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Price (GA)
Price (NC)
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell

Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)

NOT VOTING—8

Cantor
Deutch
Giffords
Gohmert
Hinchey
Hoyer
McHenry
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1736

Ms. ESHOO changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. CARDOZA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CARDOZA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 163, not voting 7, as follows:

[Roll No. 556]

AYES—261

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Baldwin
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (FL)
Buerkle
Burgess
Calvert
Camp
Campbell
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crawford
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Denham
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleming
Fortenberry
Frank (MA)
Franks (AZ)
Fudge
Gardner
Gerlach
Gohmert
Gonzalez
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Gutierrez
Hanabusa
Harris
Hastings (FL)
Hastings (WA)
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Hinojosa
Hochul
Holden
Honda
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Keating
Kelly
Kildee
King (IA)
Kinzinger (IL)
Kissell
Kucinich
Landry
Langevin
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Long
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Matheson
Matsui
McCarthy (CA)
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Nugent
Nunes
Nunnelee
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Peters
Peterson
Platts
Pompeo
Price (GA)
Rahall
Rangel
Rehberg
Reichert
Reyes
Ribble
Richardson
Richmond
Roe (TN)
Rohrabacher
Rooney
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shuler
Slaughter
Smith (NJ)
Smith (WA)
Southerland
Speier
Stark
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)

NOES—163

Bachus
Barletta
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Brooks
Buchanan
Bucshon
Burton (IN)
Butterfield
Canseco
Capito
Carney
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crenshaw
Culberson
Davis (KY)
DeGette
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Ellmers
Eshoo
Farenthold
Flake
Fleischmann
Flores
Forbes
Foxx
Frelinghuysen
Gallegly
Garamendi
Garrett
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grimm
Guinta
Hall
Hanna
Harper
Hartzler
Hayworth
Hensarling
Himes
Hirono
Holt
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Johnson (IL)
Johnson, Sam
Jones
Kind
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Lankford
Larsen (WA)
Latta
Loebsack
Lofgren, Zoe
Lucas
Lummis
Mack
Manzullo
Marchant
Marino
Markey
McCarthy (NY)
McCaul
McClintock
McCollum
McKinley
Michaud
Miller (NC)
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Olson
Palazzo
Pence
Perlmutter
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis
Posey
Price (NC)
Quayle
Quigley
Reed
Renacci
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (TX)
Stearns
Stivers
Sullivan
Thompson (PA)
Thornberry
Tipton
Tonko
Turner
Walberg
Walden
Walsh (IL)
Watt
Wilson (SC)
Wittman
Wolf
Woodall
Young (IN)

NOT VOTING—7

Cantor
Deutch
Giffords
Hinchey
Hoyer
Johnson (GA)
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1740

Mr. MULVANEY changed his vote from ''aye'' to ''no.''

Messrs. DUNCAN of South Carolina and WESTMORELAND changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 7, as follows:

[Roll No. 557]

AYES—241

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)

Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—183

Ackerman
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Benishek
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gallegly
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—7

Cantor
Deutch
Giffords
Hinchey
Hoyer
Payne
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1744

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 20 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 238, not voting 7, as follows:

[Roll No. 558]

AYES—186

Adams
Aderholt
Akin
Altmire
Amash
Bachmann
Bachus
Barton (TX)
Bass (NH)
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Culberson
Dent
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Latta
Lewis (CA)
Long
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reichert
Ribble
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stearns
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—238

Ackerman
Alexander
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Buerkle
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hanabusa
Harris
Hastings (FL)
Hensarling
Himes
Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci

Reyes
Richardson
Richmond
Rigell
Rivera
Rogers (AL)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Cantor
Deutch
Ellison
Giffords
Hinchey
Hoyer
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1749

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 230, not voting 9, as follows:

[Roll No. 559]

AYES—192

Ackerman
Andrews
Baca
Baldwin
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Forbes
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Rahall
Rangel
Reyes
Richardson
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Simpson
Sires
Slaughter
Stark
Sutton
Terry
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOES—230

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—9

Cantor
Deutch
Giffords
Hinchey
Hoyer
Meeks
Payne
Pelosi
Rogers (KY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1752

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 38, noes 384, not voting 9, as follows:

[Roll No. 560]

AYES—38

Amash
Bartlett
Barton (TX)
Benishek
Broun (GA)
Brown (FL)
Chaffetz
DesJarlais
Duncan (TN)
Flake
Foxx
Franks (AZ)
Gallegly
Goodlatte
Graves (GA)
Hensarling
Higgins
Holden
Huelskamp
Labrador
Lamborn
Mack
McClintock
McHenry
Miller (MI)
Mulvaney
Myrick
Nunes
Paul
Petri
Price (GA)
Quayle
Rohrabacher
Royce
Sensenbrenner
Walsh (IL)
Westmoreland
Woodall

NOES—384

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Capito

Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Canseco
Cantor
Deutch
Giffords
Gohmert
Hinchey
Hoyer
Johnson (GA)
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1756

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, and, pursuant to House Resolution 340, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BOSWELL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOSWELL. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BOSWELL moves to recommit the bill, H.R. 1309, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 57, after line 2, insert the following new sections:

**SEC. 14. SENSE OF CONGRESS REGARDING RELIEF FOR 2011 FLOOD VICTIMS.**

(a) FINDINGS.—The Congress finds the following:

(1) The flood disasters and emergencies of 2011 have been unprecedented.

(2) Such flood disasters and emergencies cover 696 counties in 29 States.

(3) The President has declared a major disaster from flooding in 2011 for 26 counties in Louisiana. 32 counties in Indiana, 34 counties in Montana, 7 counties in Vermont, 23 counties in New York, 3 counties in Alaska, 21 counties in Illinois, 16 counties in Oklahoma, 6 counties in Idaho, 37 counties in South Dakota, 48 counties in Mississippi, 34 counties in Minnesota, 47 counties in North Dakota, 38 counties in Missouri, 64 counties in Tennessee, 76 counties in Kentucky, 57 counties in Arkansas, 23 counties in Georgia, 67 counties in Alabama, 20 counties in North Carolina, 13 counties in California, 3 counties in Hawaii, 8 counties in Oregon, 7 counties in Washington, 3 counties in Utah, and 3 counties in Maine.

(4) The President has declared an emergency from flooding in 2011 for 28 counties in Missouri, 4 counties in Kansas, 18 counties in Nebraska, 26 counties in Louisiana, 4 counties in Tennessee, 14 counties in Mississippi, and 22 counties in North Dakota.

(b) PURPOSE.—It is the sense of the Congress that relief should be provided in the form of grants to families in areas affected by flooding to repair damage to their homes and in the form of assurances that such homeowners are not subjected to additional flood insurance premium increases as they struggle in the aftermath of disaster recovery.

**SEC. 15. EMERGENCY AID TO ASSIST 2011 FLOOD VICTIMS.**

(a) ASSISTANCE WITH INCREASED COST OF COMPLIANCE.—Subsection (b) of section 1304 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)) is amended—

(1) in paragraph (3), by striking the period at the end and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) properties for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.''.

(b) GRANTS.—

(1) AUTHORITY.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**''SEC. 1326. GRANTS FOR REPAIRING FLOOD DAMAGE TO HOMES IN DISASTER AREAS.**

''(a) AUTHORITY.—The Administrator may make grants under this section to owners of qualified residences for costs of repairing damage to such residences caused by flooding for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2011.

''(b) TERMS.—The Administrator shall issue such regulations as may be necessary to establish appropriate limitations and terms regarding grants under this section, which may include limitations and terms regarding the amount of grants, avoiding duplication of reimbursement for damages, use of grant amounts, and such other issues as the Administrator considers appropriate.

''(c) QUALIFIED RESIDENCE.—For purposes of this section, the term 'qualified residence' means a residential structure that—

''(1) consists of from 1 to 4 dwelling units;

''(2) is located within the area for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act as a result of flooding; and

''(3) is covered, upon issuance of such declaration, by a contract for flood insurance coverage under this title.''.

(2) AVAILABILITY OF NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), as amended by the preceding provisions of this Act, is further amended—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(8) for grants under section 1326.''.

Page 21, line 22, strike the closing quotation marks and the last period.

Page 21, after line 22, insert the following new paragraph:

''(5) TOLLING OF PERIODS AFTER DISASTERS.—In the case of any covered property that is subject under subsection (i) to a prohibition on increases in chargeable risk premium rates, any 12-month period applicable to such covered property under paragraph (1), (2), or (3) shall be tolled for the duration of the 36-month period applicable to such covered property under subsection (i), and any increases in risk premium rates otherwise effective upon expiration of any of such 12-month periods shall take effect upon the expiration of such periods as resumed after such tolling.''.

Page 27, after line 11, insert the following new subsection:

(e) RELIEF FROM PREMIUM INCREASES TO ASSIST 2011 FLOOD VICTIMS.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended—

(1) in subsection (c), in the matter that precedes paragraph (1), as amended by the preceding provisions of this Act, by inserting '', and subsection (i)'' after ''subsection (g)'';

(2) by adding at the end the following new subsection:

''(i) RELIEF FROM PREMIUM INCREASES TO ASSIST 2011 FLOOD VICTIMS.—Subject to subsection (h) and notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2011, as a result of flooding, the chargeable risk premium rates for flood insurance coverage under this title for any structure located within such area upon the issuance of such declaration may not be increased at any time during the 36-month period beginning upon issuance of such declaration.''.

Page 27, line 12, strike ''(e)'' and insert ''(f)''.

Page 19, line 22, strike ''and'' and insert a comma.

Page 20, lines 3 and 4, strike ''Notwithstanding'' and insert the following: ''Subject only to subsections (h) and (i) and notwithstanding''.

Mr. BOSWELL (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

Mr. DOLD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. DOLD (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. BOSWELL. Thank you, Mr. Speaker.

At the outset, let me say this amendment does not—repeat, does not—kill the underlying bill.

Mr. Speaker, our Nation has been hit by devastating and unprecedented flooding this past spring that has displaced and damaged homes in 29 States and nearly 700 counties. That is right. Nearly three-fifths of the States in this country, 60 percent, have counties that have been declared emergency areas by the President. I would like to insert into the RECORD the list of States and counties that have been hit by the floods of 2011.

In my home State of Iowa, right as we stand here in this Chamber, we are seeing flooding as the Missouri River rises on the western border. Just last week, the Department of Agriculture declared Fremont, Harrison, Mills, Monona, Pottawattamie, and Woodbury Counties in Iowa as agriculture disaster areas. Farmers, homeowners, and small business owners are seeing their lives and their very livelihoods quite literally being washed away. As I talk to mayors, county supervisors, and my friends across the State who are being affected, they want to know if their government, this Congress, will stand with them in their time of dire need. We need to step up to the plate and help these flood victims rebuild their lives and repair the damage, and they should not be subjected to premium increases as they struggle to get back on their feet.

This final amendment helps flood victims in three important ways:

First, this amendment builds on a bipartisan program that was established in 1994 following the devastating Midwestern floods by reimbursing a flood policyholder for the cost of rebuilding a flood-damaged structure as needed to comply with State and local floodplain management laws.

Second, this amendment provides a new important tool to aid victims of the 2011 floods by giving the agency discretion to provide grants to homeowners to repair flood damage.

Third, this amendment provides a temporary reprieve from any increases in flood insurance premiums for policyholders as they struggle to rebuild their homes and their lives. It does so by suspending any increases in flood insurance premiums for a period of 36 months—we're talking about increases—for policyholders located in areas designated by the President as a major disaster or emergency.

Importantly, this amendment accomplishes this in a responsible way by limiting such assistance to homeowners with existing flood policies. It rewards those who have obtained flood insurance and have paid into the Flood Insurance Fund. This amendment is consistent with the underlying policy of this bill by encouraging homeowners to obtain flood insurance, and by placing the program on stronger financial footing through a responsible phase-in of risk premium rates to full actuarial rates.

In past years, Congress has stepped up to the plate and provided assistance to victims of natural disasters. That is what epitomizes our great country and its spirit. Yet this Congress has shown a disregard for flood victims at a time when we are struggling to recover from the worst financial crisis since the Great Depression. Yes, we are a country marked by individual initiative, but we are also a country of compassion.

□ 1810

This final amendment is not a handout. It provides immediate assistance and relief to those homeowners who have paid into the Flood Insurance Fund. The Flood Insurance Fund is paid through premiums and fees paid by policyholders, not the taxpayer.

I urge my colleagues to read the list of 29 States and 696 counties that have been hit by these devastating floods and join me in providing swift and immediate assistance to your constituents. These are your friends, your neighbors; and they are asking for your help. So I ask you to stand with them, and I ask my colleagues to do the same.

Vote ''yes'' on this final amendment; and, remember, it does not kill the underlying bill.

STATEMENT OF REP. LEONARD L. BOSWELL TO ACCOMPANY THE MOTION TO RECOMMIT THE BILL, H.R. 1309 WITH INSTRUCTIONS

According to the Federal Emergency Management Agency, there have been a total of 696 counties in 29 states for which a Major Disaster or Emergency has been declared. There is some overlap of states for which a major disaster and emergency have been declared and some overlap of counties for which a major disaster and emergency have been declared. Below is a breakdown of the affected counties and states by major disaster and by emergency.

26 STATES FOR WHICH A MAJOR DISASTER HAS BEEN DECLARED IN 2011 FOR FLOODING*

Alabama, Alaska, Arkansas, California, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Minnesota, Mississippi, Missouri, Montana, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Utah, Vermont, Washington

696 COUNTIES IN 26 STATES COVERED BY A MAJOR DISASTER DECLARATION IN 2011 FOR FLOODING*

*Alabama Counties*

Autauga County, Baldwin County, Barbour County, Bibb County, Blount County, Bullock County, Butler County, Calhoun County, Chambers County, Cherokee County, Chilton County, Choctaw County, Clarke County, Clay County, Cleburne County, Coffee County, Colbert County, Conecuh County, Coosa County, Covington County, Crenshaw County, Cullman County, Dale County, Dallas County, DeKalb County, Elmore County, Escambia County, Etowah County, Fayette County, Franklin County, Geneva County, Greene County, Hale County, Henry County, Houston County, Jackson County, Jefferson County, Lamar County, Lauderdale County, Lawrence County, Lee County, Limestone County, Lowndes County, Macon County, Madison County, Marengo County, Marion County, Marshall County, Mobile County, Monroe County, Montgomery County, Morgan County, Perry County, Pickens County, Pike County, Randolph County, Russell County, Saint Clair County, Shelby County, Sumter County, Talladega County, Tallapoosa County, Tuscaloosa County, Walker County, Washington County, Wilcox County, and Winston County.

*Alaska Counties*

Crooked Creek (ANV/ANVSA), Kuspuk Regional Educational Attendance Area, and Red Devil (ANV/ANVSA).

*Arkansas Counties*

Arkansas County, Baxter County, Benton County, Boone County, Bradley County, Calhoun County, Carroll County, Chicot County, Clark County, Clay County, Cleburne County, Cleveland County, Conway County, Craighead County, Crawford County, Crittenden County, Dallas County, Faulkner County, Franklin County, Fulton County, Garland County, Greene County, Hot Spring County, Howard County, Independence County, Izard County, Jackson County, Johnson County, Lawrence County, Lee County, Lincoln County, Lonoke County, Madison County, Marion County, Mississippi County, Monroe County, Montgomery County, Nevada County, Newton County, Perry County, Phillips County, Pike County, Poinsett County, Polk County, Prairie County, Pulaski County, Randolph County, Saint Francis County, Saline County, Searcy County, Sharp County, Stone County, Van Buren County, Washington County, White County, Woodruff County, and Yell County.

*California Counties*

Del Norte County, Inyo County, Kern County, Kings County, Monterey County, Orange County, Riverside County, San Bernardino County, San Diego County, San Luis Obispo County, Santa Barbara County, Santa Cruz County, and Tulare County.

*Georgia Counties*

Bartow County, Catoosa County, Cherokee County, Coweta County, Dade County, Floyd County, Gordon County, Greene County, Harris County, Heard County, Jasper County, Lamar County, Lumpkin County, Meriwether County, Monroe County, Morgan County, Newton County, Pickens County, Rabun County, Spalding County, Troup County, Walker County, and White County.

*Hawaii Counties*

Hawaii County, Honolulu County, and Maui County.

*Idaho Counties and Indian Reservations*

Bonner County, Clearwater County, Idaho County, Nez Perce County, Nez Perce Indian Reservation, and Shoshone County.

*Illinois Counties*

Alexander County, Franklin County, Gallatin County, Hamilton County, Hardin County, Jackson County, Jefferson County, Lawrence County, Marion County, Massac County, Perry County, Pope County, Pulaski County, Randolph County, Saline County, Union County, Wabash County, Washington County, Wayne County, White County, and Williamson County.

*Indiana Counties*

Benton County, Clark County, Crawford County, Daviess County, Dearborn County, Dubois County, Floyd County, Franklin County, Gibson County, Harrison County, Jackson County, Jefferson County, Jennings County, Knox County, Martin County, Monroe County, Ohio County, Orange County, Parke County, Perry County, Pike County, Posey County, Putnam County, Ripley County, Scott County, Spencer County, Starke County, Sullivan County, Switzerland County, Vanderburgh County, Warrick County, and Washington County.

*Iowa Counties*

Fremont County, Harrison County, Mills County, Monona County, Pottawattamie County, and Woodbury County.

*Kentucky Counties*

Anderson County, Ballard County, Bath County, Boone County, Boyd County, Bracken County, Breathitt County, Breckinridge County, Butler County, Caldwell County, Calloway County, Campbell County, Carlisle County, Carroll County, Carter County, Christian County, Clay County, Crittenden County, Daviess County, Edmonson County, Elliott County, Estill County, Fleming County, Floyd County, Franklin County, Fulton County, Gallatin County, Grant County, Graves County, Grayson County, Green County, Greenup County, Hancock County, Harlan County, Henderson County, Henry County, Hickman County, Hopkins County, Johnson County, Kenton County, Knott County, Lawrence County, Lee County, Lewis County, Livingston County, Logan County, Lyon County, Magoffin County, Marion County, Marshall County, Martin County, Mason County, McCracken County, McLean County, Meade County, Menifee County, Mercer County, Monroe County, Morgan County, Nelson County, Nicholas County, Oldham County, Owen County, Owsley County, Pendleton County, Perry County, Robertson County, Rowan County, Spencer County, Todd County, Trigg County, Trimble County, Union County, Washington County, Webster County, and Wolfe County.

*Maine Counties*

Aroostook County, Piscataquis County, and Washington County.

*Minnesota Counties*

Becker County, Beltrami County, Big Stone County, Blue Earth County, Brown County, Carver County, Chippewa County, Clay County, Grant County, Kittson County, Lac qui Parle County, Le Sueur County, Lyon County, Marshall County, McLeod County, Nicollet County, Norman County, Otter Tail County, Polk County, Ramsey County, Red Lake County, Red Lake Indian Reservation, Redwood County, Renville County, Roseau County, Scott County, Sibley County, Stevens County, Swift County, Traverse County, Washington County, Wilkin County, Wright County, and Yellow Medicine County.

*Mississippi Counties*

Adams County, Alcorn County, Attala County, Benton County, Bolivar County, Calhoun County, Carroll County, Chickasaw County, Choctaw County, Claiborne County, Clarke County, Clay County, Coahoma County, DeSoto County, Greene County, Hinds County, Holmes County, Humphreys County, Issaquena County, Itawamba County, Jasper County, Jefferson County, Kemper County, Lafayette County, Lee County, Marshall County, Monroe County, Montgomery County, Neshoba County, Newton County, Noxubee County, Panola County, Prentiss County, Quitman County, Scott County, Sharkey County, Smith County, Tate County, Tippah County, Tishomingo County, Tunica County, Union County, Warren County, Washington County, Webster County, Wilkinson County, Winston County, and Yazoo County.

*Missouri Counties*

Barry County, Bollinger County, Butler County, Cape Girardeau County, Carter County, Christian County, Douglas County, Dunklin County, Howell County, Iron County, Jasper County, Madison County, McDonald County, Miller County, Mississippi County, New Madrid County, Newton County, Oregon County, Ozark County, Pemiscot County, Perry County, Pettis County, Polk County, Reynolds County, Ripley County, Saint Francois County, Saint Louis County, Sainte Genevieve County, Scott County, Shannon County, Stoddard County, Stone County, Taney County, Texas County, Washington County, Wayne County, Webster County, and Wright County.

*Montana Counties and Indian Reservations*

Big Horn County, Blaine County, Broadwater County, Carbon County, Carter County, Cascade County, Chouteau County, Crow Indian Reservation, Custer County, Dawson County, Fallon County, Fergus County, Fort Belknap Indian Reservation, Garfield County, Golden Valley County, Hill County, Judith Basin County, McCone County, Meagher County, Musselshell County, Petroleum County, Phillips County, Powder River County, Prairie County, Rocky Boy's Indian Reservation, Roosevelt County, Rosebud County, Stillwater County, Sweet Grass County, Treasure County, Valley County, Wheatland County, Wibaux County, and Yellowstone County.

*New York Counties*

Allegany County, Broome County, Chemung County, Chenango County, Clinton County, Delaware County, Essex County, Franklin County, Hamilton County, Herkimer County, Lewis County, Livingston County, Madison County, Niagara County, Oneida County, Onondaga County, Ontario County, Steuben County, Tioga County, Ulster County, Warren County, Wyoming County, and Yates County.

*North Carolina Counties*

Alamance County, Bertie County, Bladen County, Craven County, Cumberland County, Currituck County, Greene County, Halifax County, Harnett County, Hertford County, Hoke County, Johnston County, Lee County, Onslow County, Pitt County, Robeson County, Sampson County, Tyrrell County, Wake County, and Wilson County.

*North Dakota Counties and Indian Reservations*

Barnes County, Benson County, Billings County, Bottineau County, Burke County, Burleigh County, Cass County, Cavalier County, Dickey County, Divide County, Eddy County, Fort Berthold Indian Reservation, Foster County, Grand Forks County, Grant County, Griggs County, Kidder County, LaMoure County, Logan County, McHenry County, McIntosh County, McKenzie County, McLean County, Mercer County, Morton County, Mountrail County, Nelson County, Pembina County, Pierce County, Ramsey County, Ransom County, Renville County, Richland County, Rolette County, Sargent County, Sheridan County, Spirit Lake Reservation, Steele County, Stutsman County, Towner County, Traill County, Turtle Mountain Indian Reservation, Walsh County, Ward County, Wells County, and Williams County.

*Oklahoma Counties*

Adair County, Caddo County, Canadian County, Cherokee County, Delaware County, Grady County, Haskell County, Kingfisher County, Le Fiore County, Logan County, McClain County, McIntosh County, Muskogee County, Okmulgee County, Pittsburg County, and Sequoyah County.

*Oregon Counties*

Clackamas County, Clatsop County, Coos County, Crook County, Curry County, Douglas County, Lincoln County, and Tillamook County.

*South Dakota Counties*

Aurora County, Beadle County, Brookings County, Brown County, Buffalo County, Butte County, Charles Mix County, Clark County, Clay County, Codington County, Day County, Deuel County, Edmunds County, Faulk County, Grant County, Hamlin County, Hand County, Hanson County, Hughes County, Hutchinson County, Hyde County, Jackson County, Jerauld County, Kingsbury County, Lake County, Marshall County, Miner County, Moody County, Perkins County, Potter County, Roberts County, Sanborn County, Spink County, Stanley County, Sully County, Union County, and Yankton County.

*Tennessee Counties*

Benton County, Bledsoe County, Blount County, Bradley County, Campbell County, Carroll County, Chester County, Cocke County, Crockett County, Davidson County, Decatur County, Dickson County, Dyer County, Fayette County, Fentress County, Franklin County, Gibson County, Giles County, Grainger County, Greene County, Hamilton County, Hardeman County, Hardin County, Henderson County, Henry County, Hickman County, Houston County, Humphreys County, Jackson County, Jefferson County, Johnson County, Knox County, Lake County, Lauderdale County, Lawrence County, Lewis County, Lincoln County, Loudon County, Madison County, Marion County, Marshall County, McMinn County, McNairy County, Monroe County, Montgomery County, Moore County, Morgan County, Obion County, Perry County, Pickett County, Polk County, Rhea County, Scott County, Sequatchie County, Shelby County, Smith County, Stewart County, Sullivan County, Sumner County, Tipton County, Union County, Washington County, Wayne County, and Weakley County.

*Utah Counties*

Garfield County, Kane County, and Washington County.

*Vermont Counties*

Addison County, Chittenden County, Essex County, Franklin County, Grand Isle County, Lamoille County, and Orleans County.

*Washington Counties*

King County, Kittitas County, Klickitat County, Lewis County, Skagit County, Skamania County, and Wahkiakum County.

7 STATES FOR WHICH AN EMERGENCY HAS BEEN DECLARED IN 2011 FOR FLOODING*

Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Tennessee

116 COUNTIES IN 7 STATES COVERED BY EMERGENCY DECLARATION IN 2011 FOR FLOODING*

*Kansas Counties*

Atchison County, Doniphan County, Leavenworth County, and Wyandotte County.

*Louisiana Counties*

Ascension Parish, Assumption Parish, Avoyelles Parish, Catahoula Parish, Concordia Parish, East Baton Rouge Parish, East Carroll Parish, East Feliciana Parish, Franklin Parish, Iberia Parish, lberville Parish, La Salle Parish, Lafourche Parish, Madison Parish, Pointe Coupee Parish, Richland Parish, Saint Charles Parish, Saint James Parish, Saint John the Baptist Parish, Saint Landry Parish, Saint Martin Parish, Saint Mary Parish, Tensas Parish, Terrebonne Parish, West Baton Rouge Parish, and West Feliciana Parish.

*Mississippi Counties*

Adams County, Bolivar County, Claiborne County, Coahoma County, DeSoto County, Humphreys County, Issaquena County, Jefferson County, Sharkey County, Tunica County, Warren County, Washington County, Wilkinson County, and Yazoo County.

*Missouri Counties*

Andrew County, Atchison County, Boone County, Buchanan County, Callaway County, Carroll County, Chariton County, Clark County, Clay County, Cole County, Cooper County, Franklin County, Gasconade County, Holt County, Howard County, Jackson County, Lafayette County, Lewis County, Moniteau County, Montgomery County, Osage County, Platte County, Ray County, Saint Charles County, Saint Louis, Saint Louis County, Saline County, and Warren County.

*Nebraska Counties*

Boyd County, Burt County, Cass County, Cedar County, Dakota County, Dixon County, Douglas County, Garden County, Knox County, Lincoln County, Morrill County, Nemaha County, Otoe County, Richardson County, Sarpy County, Scotts Bluff County, Thurston County, and Washington County.

*North Dakota Counties*

Barnes County, Benson County, Burleigh County, Cass County, Eddy County, Emmons County, Grand Forks County, McLean County, Mercer County, Morton County, Nelson County, Oliver County, Pembina County, Ramsey County, Ransom County, Richland County, Sioux County, Standing Rock Indian Reservation (also SD), Towner County, Traill County, Walsh County, and Ward County.

*Tennessee Counties*

Dyer County, Lake County, Shelby County, and Stewart County.

*Data is based on information publicly available on the Federal Agency Management Association (FEMA) website at: http://www.fema.govinews/disasters.fema.

I yield back the balance of my time.

Mr. DOLD. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise in strong opposition to this motion to recommit, and I must say that I'm very disappointed in my friends on the other side of the aisle for offering up yet another politically motivated motion, especially considering that the flood insurance bill passed out of the Financial Services Committee 54–0; 54–0 out of the Financial Services Committee.

On top of that, we spent the majority of today debating the bill before the House and entertaining some 25 motions and amendments to the bill. The motion to recommit cynically undermines the broad bipartisan cooperation I have been pleased to see throughout this legislative process.

Mr. Speaker, this is exactly the type of political bickering that the American people have loudly rejected. This circumvents the flood insurance program. It is actually a disservice to the people who you are attempting to try to help. The point of flood insurance is to prevent assistance packages like this and should be taken up in regular order. We have no idea of the cost of the new grants, the new programs, and the new spending in this disaster relief package.

It prohibits us from charging actuarial rates. What the flood insurance bill tries to do is infuse more private sector solutions, put in a new map, and provide actuarial rates which will help benefit the American public. Over 5 million residents and commercial properties rely on flood insurance today; 20,000 American communities rely on it. We must make sure that this flood insurance bill goes through, not circumvent the process with some disaster relief package.

This is an attempt to have an insurance program without paying the premiums. Frankly, we can't afford to do that. I would urge my colleagues, especially those on the Financial Services Committee who again passed it out of committee 54–0, to vote ''no'' on this motion to recommit.

I want to thank the chairmen, Chairman BIGGERT and the chairman of the full committee, Chairman BACHUS, and also the ranking member, Mr. FRANK, and the ranking member in the subcommittee, Ms. WATERS, for their leadership. What we don't need now is to have the other side try to circumvent this process with a disaster relief bill.

I urge my colleagues on this side and that side to support the underlying bill and reject the motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BOSWELL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules on H.R. 2417.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 6, as follows:

[Roll No. 561]

AYES—181

| | | |
|---|---|---|
| Ackerman | Carney | Davis (CA) |
| Altmire | Carson (IN) | Davis (IL) |
| Andrews | Castor (FL) | DeGette |
| Baca | Chandler | DeLauro |
| Baldwin | Chu | Dicks |
| Barrow | Cicilline | Dingell |
| Bass (CA) | Clarke (MI) | Doggett |
| Becerra | Clarke (NY) | Donnelly (IN) |
| Berkley | Clay | Doyle |
| Berman | Cleaver | Edwards |
| Bishop (GA) | Clyburn | Ellison |
| Bishop (NY) | Cohen | Engel |
| Boren | Connolly (VA) | Eshoo |
| Boswell | Conyers | Farr |
| Brady (PA) | Cooper | Fattah |
| Braley (IA) | Costello | Filner |
| Brown (FL) | Courtney | Frank (MA) |
| Butterfield | Critz | Fudge |
| Capps | Crowley | Garamendi |
| Carnahan | Cummings | Gonzalez |

Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—244

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
LaTourette
Latta
Lewis (CA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Waters
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—6

Deutch
Giffords
Himes
Hinchey
Rush
Stearns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WEBSTER) (during the vote). There are 2 minutes remaining in this vote.

□ 1831

Mr. COSTA changed his vote from ''aye'' to ''no.''

Mr. BUTTERFIELD changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Mr. Speaker, on rollcall No. 561 I was unavoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 406, noes 22, not voting 3, as follows:

[Roll No. 562]

AYES—406

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns

Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NOES—22

Amash
Benishek
Broun (GA)
Chaffetz
Duncan (TN)
Flake
Franks (AZ)
Gallegly
Graves (GA)
Higgins
Huelskamp
Labrador
Mack
McClintock
Miller (MI)
Paul
Petri
Quayle
Rohrabacher
Sensenbrenner
Walsh (IL)
Yoder

NOT VOTING—3

Deutch
Giffords
Hinchey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1839

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## BETTER USE OF LIGHT BULBS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2417) to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 193, answered "present" 1, not voting 4, as follows:

[Roll No. 563]

YEAS—233

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rehberg
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—193

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Garrett
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Reyes
Richardson
Richmond
Rigell
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

ANSWERED "PRESENT"—1

Bishop (UT)

NOT VOTING—4

Bishop (GA)
Deutch
Giffords
Hinchey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1845

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2018, CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112–144) on the resolution (H. Res. 347) providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, I was on official business on last Friday, July 8, with the privilege of seeing the last shuttle launch in Florida, the Atlantis, a very important issue for my congressional district and, I might say, a mighty, magnificent expression of American genius.

Because of that, I missed the following roll call votes on Thursday, July 7, which I would like to submit into the RECORD. I will read them very briefly. For roll call vote No. 521—and these were under the Defense appropriations bill—I would have voted "yes." For roll call vote 522, I would have voted "no." Roll call vote 523, I would have voted ''yes.'' For roll call vote 524, ''Reaffirming the United States commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes,'' I would have voted ''aye.''

For Friday, July 8, when I, as well, missed votes for that reason, official business, for roll call vote No. 525, I would have voted ''no.'' For roll call vote 526, I would have voted ''no.'' Roll call vote 527, I would have voted ''no.'' Roll call vote 528, which interferes with the chaplain's duties in the United States military, I would have voted a resounding ''no.'' For roll call vote 529, I would have voted ''no.'' Roll call vote 530, I would have voted ''no.'' And for roll call vote 533, I would have voted ''yes.''

Mr. Speaker, I rise to address the Chair regarding my absence from rollcall votes 515–524 on Thursday, July 7, 2011.

I was not able to cast my votes during rollcall 515–524 because I was on official business. I would like to state for the RECORD how I would have voted had I been present.

For rollcall vote 521, on agreeing to an Amendment to H.R. 2219 offered by Representative WELCH of Vermont, "An amendment to limit the use of funds to not more than $200,000,000, provided by title IX under the heading 'Operation and Maintenance, Army,' may be available for the Commander's Emergency Response Program. Also, the amount otherwise provided under such heading is reduced by $200,000,000," I would have voted yes.

For rollcall vote 522, on agreeing to Amendment No. 4 to H.R. 2219 offered by Representative COLE of Oklahoma, "An amendment numbered 4 printed in the CONGRESSIONAL RECORD to prohibit the use of funds be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of the this Act," I would have voted nay.

For rollcall vote 523, on agreeing to Amendment No. 97 to H.R. 2219 offered by Representative FRANK, "An Amendment to add a section at the end of the bill which reduces the total amount of appropriations by $8,500,000,000 not to be derived from amounts of appropriations made available by title I ("Military Personnel"), under the heading "Defense Health Program" in title VI, or by title IX ("Overseas Contingency Operations")," I would have voted aye.

For rollcall vote 524, on motion to suspend the rules and agree as amended in H. Res. 268, "Reaffirming the United States commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes," I would have voted aye.

Mr. Speaker, I rise to address the Chair regarding my absence from rollcall votes 525–533 on Friday, July 8, 2011.

I was not able to cast my votes during rollcall 525–533 because I was on official business. I would like to state for the RECORD how I would have voted had I been present.

For rollcall vote 525, on agreeing to Amendment No. 1 to H.R. 2219 offered by Representative FLAKE of Arizona, "An amendment to reduce funds made available by this Act for 'Operation and Maintenance, Defense-Wide' by $250,000,000," I would have voted "nay."

For rollcall vote 526, on agreeing to Amendment No. 2 to H.R. 2219 offered by Representative FLAKE of Arizona, "An amendment to reduce the amounts made available in sundry sections of title IV," I would have voted "nay."

For rollcall vote 527, on agreeing to Amendment No. 3 to H.R. 2219 offered by Representative FLAKE of Arizona, "An amendment to reduce the amounts made available in sundry sections of title IV," I would have voted "nay."

For rollcall vote 528, on agreeing to Amendment No. 77 to H.R. 2219 offered by Representative HUELSKAMP of Kansas, "An amendment numbered 77 printed in the CONGRESSIONAL RECORD to prohibit the use of funds to implement the curriculum of the Chaplain Corps Tier 1 DATD repeal training dated April 11, 2011" I would have voted "nay."

For rollcall vote 529, on agreeing to an Amendment to H.R. 2219 offered by Representative POLIS of Colorado, "An amendment to prohibit use of funds in the bill to maintain an end strength level of troops in Europe to more than 30,000 and to reduce military personnel accounts accordingly" I would have voted "nay."

For rollcall vote 530, on agreeing to an Amendment to H.R. 2219 offered by Representative KUCINICH of Ohio, "An amendment to prohibit the use of funds for military operations in or against Libya except under a declaration of war against Libya pursuant to clause 11 in section 8 of article I of the Constitution" I would have voted "nay."

For rollcall vote 533, on agreeing to a resolution H. Res. 340 to "Providing for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program" I would have voted "yea."

## TODAY'S AFRICAN AMERICAN PARENTS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, there have been a number of points that I would just like to bring really to the attention of my colleagues and to indicate that I hope we can do better. That's my message: I hope we can do better.

I hope we can do better than having two Presidential candidates in the Republican Party sign a pledge that would suggest that children of slaves were much better off than the children of African American parents today. We know that we have a high number of single parents throughout the United States raising children. But just read the slave narratives and the biography of Frederick Douglass to know that there were no marriages among slaves—it was not allowed—and that children were torn away from their parents. And husbands or wives or those who had given birth or created children were torn away from each other. Slavery was a destructive part of this country, and never compare it with the life that we have today.

I would also suggest that if we are negotiating the debt ceiling, we should not have leaders in the room that make the statement that we'll have no resolution because President Barack Obama is President. I'm insulted, offended, and it is not becoming as adults.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

□ 1850

## HOUSE ENERGY ACTION TEAM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from South Carolina (Mr. DUNCAN) is recognized for 60 minutes as the designee of the majority leader.

Mr. DUNCAN of South Carolina. Mr. Speaker, the last Congress was known as the Congress of bailouts, takeovers, taxation, and regulation. This Congress is working to be the Congress of free markets, achieving American energy independence, and job creation.

Back in May, the House passed three sweeping pieces of energy legislation designed to help end our country's dependence on Middle Eastern oil and help create American jobs by allowing deep sea energy exploration and production.

Tonight we are going to talk about American energy independence and how energy is a segue into job creation, how we can put Americans back to work. As a proud member of the House Committee on Natural Resources, we passed three I think very, very strong bills that would put America back to work, especially in the Gulf of Mexico. We passed H.R. 1229. This is the Putting the Gulf Back to Work Act. It would end the Obama administration's de facto moratorium in the Gulf of Mexico in a safe, responsible, transparent manner by setting firm timelines for considering permits to drill, which will provide certainty and allow employers and workers to get back on the job.

I don't know how many Members of Congress have been out in the Gulf of Mexico like me and looked at offshore drilling and offshore energy production. There is a difference between drilling and production. Drilling is finding the oil, drilling that well. Then they move a production platform in there to start producing that. And I talk with my colleagues from Louisiana and Mississippi and Texas that understand that the Gulf States are hurting because it's not the Big Oil companies that are out of work. It's the folks that work on those rigs out in the gulf, doing the day-to-day labor of tapping that American energy resource.

But it's also the folks back on the beach that are providing the service industry, the ones that go out and provide the food and the transportation to the workers going back and forth. It's the ships that pull the anchors when the drilling platform wants to move somewhere else. It's the pipefitters and welders back on shore that are providing the necessary service to that industry. We want to put the gulf back to work. We urge the Senate to pass H.R. 1229 that we sent over in May. And let's put the Gulf of Mexico back to work. In a few minutes I'm going to yield to the gentleman from Louisiana, who is going to talk more about that.

Then we passed the Restarting American Offshore Leasing Now Act, which would require the Obama administration to move forward and promptly conduct offshore lease sales in the Gulf of Mexico. I served on the Outer Continental Shelf 5-year Planning Subcommittee that looked at oil and natural gas leases on the Outer Continental Shelf all around the United States. And I know what a convoluted, long process it is to have a lease sale.

The administration is failing America by not having lease sales in the Gulf of Mexico, or off the coast of Alaska, or really anywhere else on the Outer Continental Shelf. It's time to restart that leasing program so that we can tap the American resources that we have in this country. H.R. 1230 is another bill we passed out on May 5. The Senate needs to act on that one, Mr. Speaker. We passed it with a bipartisan vote of 266–149.

The third bill that came out, Reversing President Obama's Offshore Moratorium Act, H.R. 1231, another one the Senate has failed to act on. This would lift the President's ban on new offshore drilling by requiring the administration to move forward on the 2012 to 2017 lease plan with energy production in the areas containing the most oil and natural gas resources.

We know where those resources are. They are off the coast of Mississippi and Alabama and Texas and the western Gulf of Mexico. They are also off the coast of South Carolina and Virginia on the Outer Continental Shelf. They are in the Alaskan Sea and off the coast of Alaska, where recently we saw the EPA deny Shell Oil Company an air quality permit.

Now, Americans need to listen. This isn't an oil drilling permit. They were ready to go. They had their drilling permit. But the EPA denied them an air quality permit. And a drilling platform does flare off the gas that sometimes seeps through when they are drilling for oil, and they flare that gas off to keep from having a dangerous explosion like we saw in Deepwater Horizon. Flare gas, natural gas that's flared off.

They are denied an air quality permit because 70 miles away on the coast, 70 miles away is an indigenous village of 250 people. So this administration's going to keep us from harvesting our natural resources in Alaska by not denying a drilling permit, but by denying an air quality permit to a drilling platform in the Alaskan Sea because it might impact a small village in Alaska. That's the kind of administration policies that we're dealing with and we're fighting here in this Congress.

Folks, we want to put America back to work. Energy is a segue to job creation. Think about it. The refining capacity that needs to be expanded as we expand the harvesting of oil and natural gas. New refineries in this country. It's been over 30 years, I believe, since we've had a new refinery permit in this country. We often think about energy, we think about fossil fuels, hydrocarbons, oil and natural gas. But when I talk about energy, I think about expanded nuclear power and how one nuclear power plant can put 5,000 people to work, 10,000 people to work in my area with new construction jobs. And then once the construction phase is over with, we've got long-term, good paying jobs like we have at the Oconee nuclear power plant in Seneca, South Carolina.

I believe in nuclear power as a stable, reliable source of energy in this country. We've got to expand nuclear power. We've got to look at modularization and miniaturization. At any given time, folks, we've got over 100 small nuclear reactors floating around the seas of the world in the United States Navy. And you know what? We haven't had a single mishap. Small, modularized nuclear reactors that work. Thinking outside the box, do we do that for small communities, neighborhoods, or small cities with smaller nuclear reactors like we have on aircraft carriers and submarines?

Recent studies from the American Petroleum Institute showed the United States is poised to create thousands of new jobs next year only if the Federal Government stops blocking the permitting process. There is a study that says that in Alaska alone—this was conducted by the University of Alaska—over 54,000 jobs could be created and sustained with deep sea production in Alaska.

I am going to yield in a little while to the gentleman from North Dakota, who will tell you that North Dakota's got one of the lowest, if not the lowest, unemployment rate in the United States, 3.2 percent. It's because of the energy jobs that are being created in the Bakken oil field in North Dakota. He is going to tell you more about that because it is a wonderful success story on how energy-related jobs expand the economy and put Americans back to work.

At this time, I would like to yield to the gentlewoman from Washington State, who knows that putting Americans back to work can happen if we harvest the natural resources that we've got in this great country.

Ms. HERRERA BEUTLER. Thank you for that. I couldn't agree more. You know what we're talking about here is jobs, job creation. And the best way to do that is to explore for energy here, to develop our energy resources. And that's why I am pleased to be a part of this Congress.

When I hear from folks back home, they say, ''Jamie, we sent you to D.C. for solutions.'' And that's precisely what this Congress has been about. With the gentleman you are going to hear from and others, I helped launch the House Energy Action Team, or HEAT is what we like to call it. It's an initiative with my House colleagues that we've started to bring forward energy solutions that put forward jobs for Americans. And I am a solutions-oriented person.

Solutions are definitely what America needs right now. And I see this from the vantage point of my corner of this country in southwest Washington State. Here is a good example. Just a few weeks ago, I met with John Leber. He is the owner of Swanson Bark in Longview. And basically, his business moves material for the forest products industry, including biomass for energy producers.

Now, the first problem we have encountered, and he has seen here with regard to some of these regulations, is we have very strict boiler MACT rules that are on hold. But if they are implemented, they would cost the forest products industry alone $5 billion to $7 billion to implement. And that's not hiring new people, that's not expanding their business, that's just costs of complying with Federal Government rules.

□ 1900

And there is more. The second problem is thousands of manufacturing and industrial facilities across this country use incinerators that would be affected, meaning they are going to have to spend more money, not to hire more people or to grow their business, but to comply with Federal Government rules.

Now, instead of stepping on the air hose of employers like John Leber, I cosponsored legislation and a solution that would allow the EPA to make the Boiler MACT rule more reasonable. Makes common sense; right? In turn, this would help the promising industry of biomass and the jobs that would come with it.

Now, the gentleman from South Carolina very rightly pointed out the energy exploration solutions that we passed here off this House floor. This is just one solution that I think is going to help, and I want to add it to those four. We are working on that. HEAT members here tonight are joining together to call on the Senate.

We have passed at least four bills that provide American energy solutions that will promote American energy jobs. The Senate needs to step up. I am going to share for you and reiterate some of those bills that we passed because they are very important. This is important to America's energy security and America's energy independence.

The first one is the Jobs and Energy Permitting Act of 2011. This would have simply required the EPA to speed up its approvals for energy exploration in Alaska. That's it. Speed up your approvals. That's pretty simple.

Developing and safely exploring for energy here would have produced a million barrels of oil per day, and it would create more than 54,000 American energy jobs. Now, not all of us like the gentleman from North Dakota have such low unemployment rates. I think it was quoted as about 3 percent. I would be doing backflips for 3 percent unemployment.

In southwest Washington, we have had double-digit unemployment now for 3 years, 3-plus years, and it's horrible. So we need to get these things moving here in America and create those jobs, especially when it's within our reach to do.

And one of the other solutions that we worked on as a team was reversing President Obama's offshore moratorium. This would contribute over 1.2 million new jobs for Americans who are hurting across this country; 800 million in revenue would have come in if the Senate would move this bill.

Now, as we are talking about the deficit and deficit reductions and the debt ceiling—and I agree with what one of the Senators said. We don't need new taxes; we need new taxpayers. So getting more people to work, paying taxes is going to help us get out of the debt that this country is facing, and it's going to create more jobs.

The third bill that we worked on and passed off of this House, one of the solutions that we have already pushed through this Chamber, is the Putting the Gulf Back to Work Act, and that bill simply reinforces safety measures through permitting inspections while increasing American energy.

I hope you are sensing a theme here tonight: American energy solutions and American jobs.

And the fourth one that we were pleased to get off this floor a few months ago was the Restarting the American Offshore Leasing Now Act. Now, this moves us forward with lease sales that were cancelled or postponed by this administration.

Remember, I mentioned stepping on that air hose. Well, a lot of the rules that have come out this administration have stepped on the air hose for employers in our Nation, and it has got to stop. We need to increase America's energy supply. This would increase thousands of American jobs, and it's common sense. All of these commonsense solutions that increase American energy production make it cheaper for families to fill their car with gas, to heat their homes, and it would give relief to American employers.

I am merely asking, and my colleagues here tonight, we are merely asking the Senate to imagine a future in the United States where energy is abundant and affordable and where we aren't riding the roller coaster of high gas prices that. Basically, those prices are set by other nations that don't like us very much.

So I encourage our Senate colleagues to join us in passing and pursuing more solutions like these that the people of this country deserve.

Mr. DUNCAN of South Carolina. I was out in Washington State with the gentlewoman from Washington several years ago, looking at nuclear power, looking at the Hanford site, talking about reprocessing of nuclear, spent nuclear fuel rods and how reprocessing can deal with some of the waste byproduct but can also provide an energy source for our nuclear power reactors, and I know you are interested in that as well. So thank you for your comments.

I next want to introduce and yield to the gentleman from Ohio, who understands that these are resources that we are talking about here in America. All the natural gas resources don't belong to President Obama; they belong to the American people. And it's time that the American people speak loudly that we want to put Americans back to work, providing American solutions for American energy issues.

Mr. JOHNSON of Ohio. I thank my colleague.

We are sitting here today with unemployment over 9 percent and rising, 22 million Americans out of work, and what are we getting? We are getting an administration whose bureaucrats have got a stranglehold on America's energy future.

I stood in this Chamber just a couple of months ago when the Prime Minister of Australia addressed a joint session of the House. I know my colleagues will remember that. And the Prime Minister said something that was profound. She related a story. She talked about being a young girl sitting in front of her television and watching Neil Armstrong and Buzz Aldrin land on the moon and thinking to herself, Wow, those Americans can do anything.

She went on to give her speech, and she talked about the long relationship between Australia and America and how we have solved many of the world's problems. At the end of her speech, she said, You know something? She said, I am not that young girl any more. I am the Prime Minister of our country, but today I still believe that Americans can do anything.

That was profound, and I think for many of us it was like you could hear a pin drop here in the House Chamber because what she said was something that we need to hear from our national leaders, and we are not getting that kind of leadership here in America today.

I believe that Americans can do anything. We saw, when President Kennedy decided that we were going to the Moon in 10 years, he mobilized our academic institutions. He engaged our industrial base, our military, our political will, our economic will. Every fabric of our culture was focused on that goal.

I remember as a young boy watching the space race shots from school or being sent home because it was like a national holiday. We had a national vision. We saw industries crop up. We saw hundreds of thousands of jobs created. We saw young people going into disciplines that would prepare them for careers in aerospace and astronautics and other disciplines to support our conquest of the space frontier.

I am so proud to be a part House Energy Action Team because we are trying to promote that same type of national vision around energy independence and security.

I believe if we had a national vision that said, look, over the next 10 years we are drawing a line in the sand starting today, and we are going to establish a goal to be energy secure and energy independent over the next 10 years. And we are going to drill for our own oil; we are going to drill for our own natural gas. We are going to continue to mine coal, and we are going to learn how to use it environmentally soundly and safely. We are going to expand our nuclear footprint. We are going to look at our alternative forms of energy like wind and solar and find out where they fit into our overall energy profile. But what we are not going to do is sit on the sidelines any longer and depend on foreign sources for our energy and put future generations at risk. I believe if we had that kind of vision, we would again see industries crop up. We would see hundreds of thousands of jobs created as a result. And at the end of the day, we would learn how to produce and store and use energy in ways that we have never, ever imagined, because guess what? Americans can do anything. With a national vision around energy independence and security, Americans would be put back to work.

□ 1910

I live in a district and represent a district where unemployment rates are popping up well over 10 percent. Some of them 12-plus percent. Ladies and gentlemen, people from my district have lost hope in the American Dream. We need a national vision around energy. That's what this House is promoting. That's what my colleagues and I are striving for. I, too, urge the Senate, take action on these bills. Get America back to work, and let's secure America's energy future.

Thank you for letting me have some time.

Mr. DUNCAN of South Carolina. I, too, believe in America's greatness. And I stood here and heard her talk about the world is looking to America to be great again. This is an area that we can be great in. I've traveled around my district recently and asked folks about rising gas prices and the impact that they were having on the family budget, how they were having to reach deeper into their wallet and not take out the $20 bill, but take out the $100 bill to fill up their tank for their family for their normal commute, grocery shopping and other things they do. Americans are hurting.

The gentleman from Ohio is on the Natural Resources Committee. And when we passed those bills out to this floor and passed those bills out from this floor to the Senate, you saw an immediate reaction by the administration, saying that we need to harvest American resources and increase domestic energy. The action of this Congress, we saw a reduction in fuel prices the next week, I think a 15-cent per gallon reduction, in my district. That's the kind of impact, that's the kind of signals we can send to the market by doing the right thing for the American people and focusing on domestic production and putting Americans back to work.

The gentleman from Louisiana came from the oil and natural gas industry. He and I have had numerous conversations about the impact that the moratorium and the de facto moratorium has had on the economies in the Gulf States. And it's not only the loss of jobs and the income taxes that are associated with that, but it's the loss of revenue to the States from the royalties that they get from the oil and natural gas production.

But in this country, at a time when we are hurting economically from loss of jobs and the lessening of income revenue to this country, keep in mind that I believe second only to—well, actually third only—to income tax revenue and corporate income tax and other revenue and borrowing. The revenue this country receives from oil and natural gas royalties is third only to those two things.

So I would like to yield to the gentleman from Louisiana, because he has got a unique story to tell.

Mr. LANDRY. I thank the gentleman from South Carolina. I thank him for speaking today on what I believe is one of the most important areas in this country for getting our economy back on track. And I want to share with him and the rest of you an email I received today.

Today I received an email that said, JEFF, my wife has finally convinced me to send you an email and update you on where I am in Louisiana. It says, I still have not returned to work, but it is looking like I may go to work in early August. And I'm going to be headed out to a particular block out in the deep waters of the Gulf of Mexico to do a P&A job, a plug and abandonment job.

So this isn't looking for additional oil and gas or producing more oil and gas. It's a plug and abandonment job.

He says, I'm not sure when we will actually get back to drilling or completing wells. This moratorium is beginning to impact me. I am fortunate that my company has kept me on since I'm a consultant, not an employee. But my income is down significantly, and my concerns about the future of the Gulf of Mexico has me looking elsewhere. I recently turned down an opportunity in Malaysia but may not turn it down again. At a time when our country is hurting, it is unbelievable that our leaders are putting more of us out of work, yet still giving money to other countries. The government spends. Spending and total unconcern for the working people of this country is wearing on us. It is also annoying to see that one of the first cuts in government spending is in education, but numerous other entitlement programs continue to keep money going towards them.

He is fed up. And the sad part, the sad part about this is that this is an American worker. And our government is basically saying, to him, a guy who has a trade, who is plying his trade, that you can no longer ply that trade in this country. If you want to continue to earn a living for your family, you need to go to another country. You need to go to Brazil or Malaysia or to Egypt and follow the rigs out of the Gulf of Mexico, out of this country, in order to keep your job.

Think about that. We are basically telling Americans right now that we don't like the job that you've been doing. Regardless of how dangerous it was and regardless of how many weeks away from your family offshore you spent, Christmases, Easters, that doesn't count. Your job isn't good enough for this country anymore. You need to go somewhere else to ply your trade.

That is just absurd when we have an opportunity in this country to do all the things that fix the economy. We can reduce the deficit, just like the gentleman from South Carolina said, we could, by increasing drilling in the Gulf of Mexico and domestically, we could send an additional $1.7 billion, $1.7 billion, to the Treasury to reduce our deficit simply by increasing our drilling activity. We could increase employment. We all know we need it. The jobs numbers came out last week, 9.2 percent unemployment. We are not creating jobs. We can create jobs by drilling domestically.

And I'm not talking minimum wage jobs. There is not a person in the Gulf of Mexico on a drilling platform who makes minimum wage. Those jobs pay good money. So we can do that. We can reduce our deficit, and we can reduce unemployment.

Do you know what else we can do? We can lower the price of energy for Americans out there. Drilling domestically does all three. It creates jobs, reduces the deficit, and decreases energy costs to Americans all over the country. It lowers the price at the pump. The President has already acknowledged that supply affects the market when he went out there and released millions of barrels—30 million barrels—out of the Strategic Petroleum Reserve. It's the wrong reserve, Mr. President. The proper reserve is in the Gulf of Mexico, in Alaska and elsewhere in this country.

I thank the gentleman from South Carolina for giving me this time.

Mr. DUNCAN of South Carolina. What would happen if we had a hurricane? We're in hurricane season, and we've released 30 billion gallons from the reserve. Wasn't that there for that purpose?

Mr. LANDRY. That is why, the last time prior to this when we did release oil from the strategic reserve was exactly that instance, when Hurricane Katrina affected the refineries and the production platforms in the Gulf of Mexico. And you're right. We should not be using that reserve unless it is an emergency.

Mr. DUNCAN of South Carolina. I tell you what, you've hit on something that I think we need to talk more about in this Congress, and that is the administration taking the easy road, trying to lessen fuel prices at the pump for Americans. But it was a short-term, short-lived impact, if it had any impact at all.

I appreciate your comments on the administration having a ''drill there and not here'' policy, encouraging exploration and drilling off the coast of Brazil when we've got the resources right here in this country. The Outer Continental Shelf off the coast of my State or off the coast of Virginia, where they have an energy policy that wants to tap those resources. In the Alaskan Sea off the coast, where we know there is proven oil and natural gas resources. An expansion in deepwater in the Gulf of Mexico. So I appreciate your comments.

The gentleman from North Dakota knows all too well what energy production means for jobs. The Bakken oil formation in North Dakota, Montana, and up into Canada even, has tremendous resources that can be harvested. There's an estimated 12 billion barrels of oil in North Dakota alone in the Bakken formation.

□ 1920

I hope he will talk about the impact that jobs created in North Dakota have on that unemployment rate.

I yield to the gentleman from North Dakota.

Mr. BERG. I thank the gentleman for yielding.

Mr. Speaker, we know the tremendous potential of energy production here in America. Recent studies show just how much energy we have available. In fact, by 2020, in the West we could produce as much oil and gas as the U.S. is currently importing from Saudi Arabia, Iraq, Kuwait, Venezuela, Colombia, Algeria, Nigeria, and Russia combined. The West alone has the potential to produce more than 1.3 million barrels of oil every single day. That's more than our current imports from Russia, Iraq, and Kuwait combined. If we're serious about creating American jobs, serious about lowering energy prices, and breaking our dependence on foreign oil, we must invest in energy resources and reserves within our borders.

In North Dakota, we know the potential of oil and natural gas. The last U.S. Geological Survey estimated that the Bakken field held nearly 4 million barrels of recoverable oil; but the new estimates, as the gentleman from South Carolina said, suggest that the

Bakken formation offers at least 12 billion barrels of recoverable oil.

We produce more than 355,000 barrels of oil each day. We are home to the largest deposit of lignite coal in the world. Our State holds tremendous wind potential as well, and we've attracted thousands of jobs to North Dakota. It is projected by 2020 that jobs in the oil industry will increase by over 16,000. That is a direct result of developing these energy resources in North Dakota. That's a 35 percent increase over 2010 levels.

North Dakota's unemployment is less than 3.5 percent. It's 3.2 percent. In western North Dakota, where Bakken development is taking place, we can't find enough people to work. In that county, unemployment is below 1 percent. Starting wages for people are over $80,000. We need people to help increase this supply of oil.

I just think every day when I'm out here and coming back from North Dakota, imagine what we could do if our whole country had the same approach as we do in North Dakota, the jobs that we could create across this country and the security that we could protect within our country by reducing our dependence on foreign oil. We could reduce our 9.2 percent unemployment rate if we move forward with energy development. We have to get rid of the burdensome regulations which are preventing businesses from creating American jobs.

This is not the time to restrict energy production and prevent jobs from being created. Yet that is exactly what the President's policies have done. In fact, I've kind of joked, if you want to see exactly what not to do to increase the supply and lower the price and reduce the cost of energy for individuals and businesses, small businesses across America, look at what's happening out here in our Nation's Capital.

The President's official moratorium on drilling cost 12,000 jobs. Declining energy production in the Gulf of Mexico is costing the U.S. over $4.7 million a day in lost revenue. Overreaching government regulations continue to hinder energy production in the United States. With thousands of Americans still out of work and prices at the pump remaining high, now is not the time to slow down our energy growth. Now is the time to invest in our own energy resources. We need a long-term, commonsense energy plan like EmPower in North Dakota. We need a plan that will lower energy costs, that will create jobs and break our dependence on foreign oil. We did it in North Dakota. We can do it across America.

We can create good-paying American jobs, we can lower energy prices, and we can break our dependence on foreign oil. It's time to work together to end the overregulation, to encourage energy development, and to work to strengthen America's energy potential.

Thank you.

Mr. DUNCAN of South Carolina. I thank the gentleman.

The time is now. The time is now to stop the policies of this administration of taking Federal land off the table when it comes to wind, solar, and hydrogen.

The wind farms. There's a bill in our committee that deals with NOAA's obstacles to wind farms off the coast. To the Federal land in the West that's off the table for solar, land that's owned by you, the taxpayer, that is not available for new solar panels and solar technology and wind farms and expansion of the power grid and power cables and transmission lines.

The folks in Oklahoma have known energy production for a long time. I was talking with a gentleman from Oklahoma earlier about a new technology to lessen our dependence on Middle Eastern oil by using the gray matter that God gave us to create new technologies.

I now yield to the gentleman from Oklahoma to share some exciting news with us coming out of his great State.

Mr. LANKFORD. Thank you.

I am honored to get a chance to talk about a great American resource, and that is our energy. Let me take you back a little bit. I'm 43 years old. I can remember in elementary school I was allowed to be able to work with the debate team in high school. It was my honor to be the littlest guy in the middle of this high school debate team. In the 1970s, the debate topic that year was ''Resolved, America Should Pursue Alternative Energy Options.''

Since the 1970s, we've been talking about hydroelectric and solar and wind. We've been trying to advance this technology, and I hope we will continue to crack the code on that to make those energy solutions work well for us. Since the 1970s, we've been talking about trying to get off fossil fuels and—guess what—it is still the dominant resource that we are using in our country, and it is still the most effective resource to be able to move our vehicles, to be able to heat our homes and to be able to produce these petrochemicals that are used in almost everything that we lay our hands on nowadays.

I hope one day I can run my car off a pinwheel that's on the top of it, but currently I run my car on gasoline. I hope I can heat my home one day with a solar panel on the roof, but currently the technology is not there to be able to do that. My home is heated with natural gas. There's electricity in all the different dynamics that come in. I look at it and I say, at 43 years old, I've been hearing my whole life that we need a national energy policy—drilling, pipelines, production, retailing—to be able to work out a plan that we can run as a country that is all of the above that is every bit of our energy, but that is not ignoring the energy that we have here.

I can tell you I am sick to death of hearing how we need to shut down fossil fuel production in the United States because of environmental reasons, knowing full well that we will just import more of those fossil fuels from all around the world. The United States produces the cleanest energy on the planet. If we want to have clean energy, whether that be fossil fuels or alternative fuels, we should be doing whatever it takes to make sure we drill here, that we produce here, and that we are the ones that are using the energy in the cleanest method possible. No one does it cleaner than us. I can assure you we don't go to Saudi Arabia and find out they produce energy cleaner there.

So if you're truly concerned about planetary issues with the environment, you would make sure all the production that's needed in the United States is produced in the United States to make sure that we continue to protect that.

Let me take you to my beautiful State. Come walk into Oklahoma sometime. Since 1949 in Oklahoma, we've been fracking for oil. What many people are calling some new technology of fracking, and everyone seems to be afraid of it, and say, Is it going to hurt the groundwater and is it going to hurt all these things, I smile and I say, Come to my beautiful State. Since 1949, we've been fracking. Over 100,000 times we have fracked in Oklahoma; 100,000 times plus. Come drink our water, come breathe our air, and come see our absolutely beautiful God-given State. We can do this in an environmentally friendly way.

We have in my district 5.7 percent unemployment because we have a lot of great energy companies that are doing a terrific job of both protecting our environment and providing jobs for the people in our area. We can do this. And to flippantly say, these are dirty oil companies and they're big oil companies, and we've got to do whatever it takes to punish Big Oil is flippant.

I was in a hearing not long ago with Timothy Geithner. He was discussing punishing Big Oil and getting more taxes on that. I was able to say to him, Mr. Secretary, are you aware that the majority of energy companies in the United States are independent producers and they're small companies? Ninety-five percent of the drilling and the oil and gas production that happens in the United States is done by independent producers, these 18,000 small companies that are out there.

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These 18,000 small companies that are out there, they account for 67 percent of the total energy production in the United States. These small companies, on average, have 12 people on staff, 12 employees. These are not big, giant companies. And throwing around terms like ''Big Oil'' and attacking them makes me smile when I think about what is happening in Oklahoma with lots and lots of service companies and producers and drillers that are really doing great jobs.

I was talking to one of those companies recently. Guess who they are targeting to be able to hire? Their favorite people to be able to hire are returning vets because of their work ethic and because of the skills they are bringing back. They are companies specifically going after returning Iraq and Afghanistan veterans to be able to hire them.

It was interesting. We were talking about drilling. You go into a drilling platform, and they say their favorite people to be able to hire are actually tank drivers returning from the war zone because they are used to driving equipment and looking at a screen and dealing with multiple things all at once. These are folks who are employing our veterans and providing great jobs.

Recently, I was on a fracking site, being given a chance to watch it. When you go into a frack site, I don't know what your image is of what it looks like to actually see a well being fracked, but it is high-tech jobs, people on computers, as well as people and pumping. It is trucks and people providing food and people providing all the equipment. It is both people with big wrenches and people with small computers. And you see this multitude of jobs that are provided by oil and gas and by fossil fuels that we are producing right here in America.

We are at a moment that we can either say: We want all green jobs. We want to destroy the jobs that are in producing fossil fuels and try to create new jobs in green jobs; or we can say: Let's do both. Let's encourage the growth of green jobs, but let's not, in the process, also discourage one of the most productive industries that we have in the United States, and that is providing our own energy.

I would love for folks to come to Oklahoma and to be able to see the great companies that are doing some very innovative things.

If I may mention one more thing, just today, one of our companies, Chesapeake, announced a new initiative that is taking natural gas and injecting it into a heat-up service and using biomass and injecting air at a high temperature, and out comes gasoline that runs in our cars. They are not asking for any kind of Federal grant. They are doing it on their own and producing brand new clean energy that will run the current vehicles we have now. At the same time, they are, in the next 10 years, dropping $1 billion to upgrade an infrastructure for natural gas on the highway system so big trucks can run on natural gas and will have a place to be able to fill up.

Industries are doing this. They want to see this. This is a way that great American companies can produce great American energy. They are patriots, and I hope we will continue to encourage these folks.

Mr. DUNCAN of South Carolina. The same American greatness that the gentleman from Ohio was talking about, where innovation meets a need.

We have a need for energy independence, and innovation is meeting that need by creating a brand new company and technology to put gasoline in America's cars and trucks and tractors. And what an amazing story coming out of Oklahoma. Hydraulic fracturing is something that I think is next on the table for this Congress to address because we are seeing a lot of misinformation out there about hydraulic fracturing contaminating drinking water. Folks, that is just wrong. There hasn't been a single instance where a hydraulic fracturing operation has contaminated drinking water.

From my understanding, most of the natural gas shales, such as Marcellus or the ones out in Oklahoma and Texas, are 10,000 feet to 6,000 feet deep in the earth. And most wells where we get our drinking water are 300 feet to 1,000 feet. A thousand feet would be a deep well, a very expensive well for Americans. That's why they don't go that far. They look somewhere else for water.

The fracking takes place much deeper, so there hasn't been a single instance. The misinformation out there has been refuted by you many times in Oklahoma when you say, I repeat, Come drink our water in Oklahoma. I appreciate that.

A key Republican energy proposal is the National Petroleum Reserve Alaska Access Act that will cut through bureaucratic red tape and unlock the full potential of energy resources in the Alaskan Natural Petroleum Reserve by ensuring that oil and natural gas are developed and transported in a timely and efficient manner. But there are delays in accessing that from this administration. And whether these delays are the result of government incompetence or ideological vendettas, the fact of the matter is that these regulations are costing American jobs and raising energy prices.

The House has offered a clear path on job creation and economic recovery. That path is less taxation, less regulation, less government intervention, and more economic certainty in the marketplace.

The folks from Kansas have talked to me numerous times about energy, and so I would like to take an opportunity to yield to Mr. HUELSKAMP from Kansas to talk about what is going on out there and that great American State's focus on American energy independence.

Mr. HUELSKAMP. Thank you. I appreciate the opportunity to speak today. I am very interested in learning what continues to happen every day in our other States, particularly our State to the south.

Being from the State of Kansas, I would like to talk a little bit about the coal industry. You might say, Kansas and the coal industry, what does that have to do with Kansas?

I am a farmer by trade, and we produce a lot of corn and wheat and soybeans and many other things. But in order to produce those, we need a lot of electricity. A number of decades ago we built a coal-fired electrical power plant in western Kansas. It generates electricity that covers six to seven States. About 5 or 6 or 7 years ago, we said we need more electricity. Our economy continues to grow, and we need more electricity. We began the process in western Kansas to expand our electrical production. We need more electricity.

If the economy is going to grow—and I'm sorry to say, now the economy is not growing very quickly under this administration, and let me tell you why. It is called overregulation. It is called litigation. It is called the attempt by this administration and others outside that are working together with this administration to stop the generation of more electricity, more energy of various types. We need more energy. We need more American energy, and we can produce that. We are trying to do that right now in western Kansas. We are trying to produce more jobs.

This administration and folks close to this administration—and this is hard to believe—they have said that you want 1,900 construction jobs. You want to create 1,900 jobs in western Kansas to grow your ability to produce American electricity. You know what the answer is from this administration? You know what the answer is from environmental groups? You know what the answer is? They said: No, we don't want your jobs. We don't want 1,900 jobs in western Kansas.

We have rural communities all across western Kansas, and they depend on this power. Actually, if they don't have more electricity, we will begin to see brownouts in less than a decade in a rural area.

We are trying to grow our production of energy, of coal-fired electrical power, and this administration says: No, we're going to sue you. And the EPA says: No, we're going to stop you with new regulations. Various outside groups are throwing lawsuits. It is death by litigation. And that is not only stopping our power plants. They are stopping power plants all across the country.

Now, it is hard to understand. I talk to my constituents and they say: Why can't we have more electricity? Who is opposed to this? Who is opposed to jobs? Somebody in Washington is opposed to jobs. There are regulators all over this country, particularly in our Nation's capital, who say: No, I would rather you pay for $5 gasoline. No, I would rather you have higher electricity rates.

If we don't generate more electricity in my State, in western Kansas, they anticipate a 40 to 50 percent increase in electricity rates. But by the time that would happen, 4 or 5 years from now, they'll say: Why didn't you do something about it? That is why I am here tonight. We have to do something about it now.

Our competitors across the way in China, I believe they have figured it out. They recognize that you need more energy in whatever form. We need more energy. We need to produce more electricity. We need to produce more diesel fuel and more gasoline. We need an all-of-the-above strategy. But when you have an administration and a culture in Washington that is dedicated to eliminating access to energy, when you have an Energy Secretary that suggests that Americans need to pay $5 a gallon on gasoline, our Energy Secretary suggests that we need to pay $5 a gallon on our gasoline, what is going on?

We need to pay more? No, we need to pay less. And the way we do that is not having a brand-new policy, a new program in Washington. No, we need to let American entrepreneurs continue to do what they have been doing for years, and that is producing a needed product called energy. And we can produce it in many ways in Kansas and all throughout the Midwest and all throughout the Nation. But when you have this narrow agenda of those in Washington that have dedicated their lives to make certain that our electrical prices go up, our energy prices in all forms go up, that is going to cost us more unless we can turn on the entrepreneurs.

□ 1940

Actually, there was a report from our U.S. Chamber of Commerce—and there are folks in this town who get upset when you talk about people who create jobs because it is actually the private sector that creates jobs. It estimates there are 351 stalled energy projects across America, and the one in western Kansas, Sunflower Electric Cooperative, is just one of those, but there are 350 others. They estimate that if those stalled energy projects would move forward that they would create 2 million jobs in the short term just in construction, but in the long term, they would create affordable energy to allow us to compete across the world. Frankly, as our energy prices increase, our ability to compete and export and to compete with China and many other countries is incredibly diminished.

So we need—we must—and are responsible here in this Chamber for freeing up entrepreneurs. We are responsible for forcing the U.S. Senate to come to the table and actually do what they talked about doing.

I don't think there is a Member of Congress in the House or Senate who went home and said, Do you know what I like? I like high energy prices.

Nobody said that. No.

They went home, and said, We're doing everything we can.

They're not doing everything they can. The U.S. Senate is not doing a single thing to help this along, and the administration is doing everything it can to make sure our energy prices go up.

That's so frustrating to me because we do have an easy answer. Let's let American entrepreneurs, American energy companies—basically small businesses—move forward. In my district, we are heavily dependent on agriculture, but the second largest industry is the oil and gas industry, and we must continue to encourage them to move forward.

I appreciate the opportunity to visit about this tonight. It's something I am very passionate about because the people in this House who are working for it cannot be blamed for high energy prices in the future, because we are doing what we can do today. Thank you for the opportunity.

Mr. DUNCAN of South Carolina. Thank you, the gentleman from Kansas.

You hit on something. Obama's Energy Secretary, Steven Chu, before he was nominated to be the Secretary of Energy, wanted to figure out how to boost the price of a gallon of gasoline in this country to the levels in Europe. At the time he made that statement, gasoline in Europe cost around $7 to $8 a gallon. That's what the administration's Secretary of Energy really expects and wants the American people to pay for a gallon of gasoline. When fuel prices got to be $4 a gallon—$4.35, $4.50 a gallon—in August of 2008, I know what that meant for my small business, and we only had two trucks on the road. Americans can't afford that when we've got the resources here in this country to meet our energy needs.

I know that the gentlewoman from North Carolina fully understands that we've got the resources to meet our needs and that we've got to expand that and put Americans back to work through harvesting American resources. So I yield to the gentlewoman from North Carolina.

Ms. FOXX. I want to thank the gentleman from South Carolina for taking on this Special Order tonight and for bringing with him a group of his colleagues who are called ''freshmen'' around here, but I will tell you the people watching this tonight don't know you guys are freshmen. You're doing a wonderful job, and I want to compliment you on the fantastic job you've taken on here to explain to the American people some of the issues related to energy independence.

I was home, like you were, during the Fourth of July and Independence Day, the little break that we had. I was home, talking to people about the fact that we need to declare a new war for independence, and that is a war for energy independence. So I agree with all of the comments that you all have made, and I want to piggyback on what our colleague from South Carolina was talking about.

In April 2011, families spent an average of $369 each month on gasoline, which represented 8.9 percent of monthly household income, which was an increase from the average of 5.7 percent. Now, that is hurting the people in my district, and it is hurting the people in your district.

We need to continue to point out that this administration has created these problems. These weren't created by Republicans. Democrats were in control of the Congress from January of 2007 to January of 2011. We were in the minority during those 4 years. In the last 2 years, the President and the Democrats were in charge of the entire Congress. They have the responsibility for what has happened in terms of energy prices.

What Republicans have done in the last 4 years, as well as this year, is we have put forth and passed legislation that would eliminate needless permitting delays that have stalled energy production. We have put forward commonsense solutions to these high energy prices. Again, we believe in an all-of-the-above principle. We want to see us have all of the things that we need in this country to make us energy independent.

Our government should be promoting our energy resources, not blocking their development. If we don't do that, we are going to continue to have a 9 percent unemployment rate. As for all of the comments that have been made about what producing energy in this country can do to unemployment, we must do that, and until we get an administration that understands that and a larger number of people in Congress who understand that, American families are going to be hurting.

So I want to compliment all of you tonight who have come here and spoken out about these issues.

Mr. DUNCAN of South Carolina. I yield to the gentleman from Kansas. He comes from an energy background—supplying parts to the energy production field.

Mr. POMPEO. I thank the gentleman from South Carolina. I just want to say a couple of things quickly.

I had a chance to hear, speaking before me, the gentleman from Oklahoma, who was talking about drilling and service companies. Until just over 6 months ago, I ran one of those small companies. It created energy jobs in Kansas and in Oklahoma and in Midland, Texas, and in Kilgore, Texas, and in all the places where American energy can be produced for American consumers. It's not that hard. This President just makes it so. We know we can have safe, clean, affordable energy produced here in America by American innovators, American businesses and American jobs if we will just do the simple things and get the Federal Government out of the way.

Just a few minutes ago, my colleague from Kansas spoke about a power plant in his district in Kansas that we've been trying to build with clean coal technology. We've been trying to build it for years. It's cleaner than the plant that exists today. It will reduce overall emissions in the State of Kansas; yet this administration and our previous Governor, who is now the Secretary of Health and Human Services, just says, No. Don't produce that energy. Don't produce that affordable energy so we can build things here in America.

I was just talking to my colleague from Colorado about that very same power plant and what it does to his State, the State of Colorado. I yield to the gentleman from Colorado.

Mr. GARDNER. I thank both the gentlemen from Kansas, my neighbors to the east of Colorado.

When you talk about the Holcomb plant, you're talking about something that affected Colorado, my constituents, directly. My district borders western Kansas, and many of the farmers/ranchers who rely on rural electric supplies for their energy were going to rely on that plant. Their ability to get cheap, abundant, affordable energy from that plant was critical to the future of their operations. I know they continue to work on it and will continue to work with their neighbors in Kansas on that. So it doesn't just affect one State. This is a national issue: the ability to generate abundant, affordable energy.

I'll also point out that those same communities in southeastern Colorado were hoping to build wind farms. Do you know what? They also rely on transmission lines, and with that power plant came transmission lines—the ability to get power from point A to point B, from where the resource is to where the people live. So, once again, we have a need for a source of abundant, affordable energy.

Mr. POMPEO. I know we're wrapping up here tonight, but I want to talk about one more thing and how the President's policies and his Environmental Protection Agency are destroying jobs in Kansas.

In Kansas' Fourth Congressional District, we build an awful lot of airplanes. They need an awful lot of electricity to build those planes and to run those plants. Our agriculture community also depends on having the EPA out of the way. Today, I sat in a hearing where the Democrats continued to say we need tighter utility regulations, that we need a set of utility rules that will make it almost impossible to build a new utility plant in America. We need that energy. When we don't have that energy, prices and costs for our farmers go up, and that translates very directly. It translates into the cost of food at the table.

When I talk to seniors, they say, MIKE, we know what we spend money on. We spend it on the simple things. We spend it on food and energy to heat our homes.

If we keep these policies up, we will be pricing our seniors into a place no one wants them.

□ 1950

It doesn't have to be. We have American energy; we can get it.

Mr. DUNCAN of South Carolina. We're about out of time. I just wanted to thank my colleagues for understanding and expressing very clearly that we have the resources in this country to meet our energy needs. We need to put America back to work, harvesting those as a segue to job creation. The House Energy Action Team, the committees charged with this, have passed the bills to the Senate. The Senate needs to act. Let's put America back to work solving our energy needs.

Mr. Speaker, I yield back the balance of my time.

## DEBT CEILING LIMIT TALKS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the minority leader.

Mr. TONKO. Mr. Speaker, this evening it is my pleasure to initiate discussion as to the events here in Washington as they affect our debt ceiling limit.

There is much attention being paid to the efforts for America to pay her bills, and obviously America's working families understand what it's all about. They understand that you work hard, you roll up your sleeves, you make ends meet, and you pay your bills on time.

Well, the concern we have today is that as we attempt to get that phenomenon done—as we have many times over the last several years—the bills have been rung up, perhaps by those Members of Congress before us and by administrations before us; but nonetheless, they are bills that need to be paid. And as we go forward, I think it's important for us to recognize that the honorable thing to do is to acknowledge that we need to pay those bills so as not to accrue additional interest charges, pay them as soon as we can, and make certain that we don't draw all sorts of havoc and damage to the American economy and perhaps the international economy as we move forward with the saga of being able to pay our bills with a debt ceiling limit being addressed.

Now, many Presidents have asked for this opportunity so as to be responsible in their administrative role, in their executive role. This President has now been addressing this issue. And we have brought in discussion to enable to authorize that debt ceiling limit being adjusted, that it should be accompanied by spending cuts. And so it has created a certain give and take, a tug of war, so to speak, here in Washington to enable us to pay those bills and have the ceiling limit addressed.

An agenda is being attached that would include spending cuts, spending cuts that in some ways can devastate the working families of this Nation, an assault on many of the needs that they have.

There is, with the Ryan plan—that now has become the ''Republican plan,'' as it has been passed by this House—would address Medicare as we know it. It would end Medicare, a program that was initiated back in 1965, took hold about 45 years ago in 1966, and has addressed the economic vitality of many senior households since that time.

Prior to that legislation for Medicare, many of the seniors were victimized, not being able to access that sort of care, not having the health care plans they required. The industry would cherry pick; they would take certain elements of a senior population that were a safer risk, an easier risk. And when it came to affordability, again, a drain on the economic vitality of retirees. Those who would retire at a certain level of economic viability would have that situation dip southward as their medical costs would drain those retirement savings.

And so history has shown that that economic vitality of our senior community has stayed more constant, more durable since the time of Medicare. It has enabled a cushion, a security to be there for our senior population so as they advanced into their golden years, they would have that coverage that was so essential.

There is this correlation of the need for health care with growing older. That's easily understood. And so what we needed was a plan that would provide security and stability, and we found it, and the Nation celebrated in bipartisan fashion. And for decades we have improved the system and addressed it so as to meet the needs of our Nation's seniors.

And now, as we look to address a debt ceiling limit, discussions have brought in a cutting services agenda where we are going to deny certain programs, amongst them Social Security, Medicare, Medicaid being reduced, programs that speak to core needs—Pell Grants for higher education, education aid and Head Start for our youngsters, the workforce of the future. A number of issues under attack, an assault on the middle class, programs that are required for working families, for their children, for seniors, for veterans, for establishment of jobs.

To create a jobs agenda, we need oftentimes to invest. Also at a time when we're asked to invest in a clean energy and innovation economy because there is a global sweepstakes going on amongst the world nations to compete for clean energy with investments that are required for R&D, and you name it, so as to develop that soundness of an agenda and create jobs here, utilizing and embracing the American intellect.

So all of that is put at risk by this frenzy to have spending cuts while we authorize this debt ceiling limit, which allows us, authorizes us to pay our bills, has the executive branch pay its bills, has this country pay its bills, as the President has suggested time and time again.

But the outcome is that many are thinking this is giving us new authorization to spend when in fact it covers the bills of the past. And to accompany their vote here, they would want spending cuts. And so Medicare has been on that block; it has been on that chopping block, and many of my colleagues are concerned about that.

We're joined tonight by my colleague from California, who represents, I believe, the 32nd District of the State of California, Representative JUDY CHU, who has been outspoken in her defense of maintaining the Medicare program, improving it, strengthening it, providing greater opportunity for generations of seniors yet to come, and not ending it. Ending Medicare would be a torturous thought for many out there. And there are those who defend the program here in the House, amongst them Representative JUDY CHU.

Representative CHU, thank you for joining us this evening, and I welcome your thoughts on where we're at as we address these debt ceiling limit negotiations and now having these demands of spending cuts put upon us that could impact the senior population via the end to Medicare.

Ms. CHU. Thank you, Congressman TONKO. Thank you for putting this hour together for us to talk about what is at stake with regard to Medicare.

The economic recession is hurting our seniors. The programs they rely on to get by, like Nursicare and Meals on Wheels, are being slashed at the local, State and Federal level. Though prices have risen, they haven't seen a cost-of-living increase in their Social Security checks. Yet the Republicans have been in control of the House for over 6 months and have done nothing to help our struggling seniors. Instead, they have been waging a war on programs that keep them afloat.

First, they pushed through a budget for next year that ends Medicare. It would deny seniors and those of us who are getting older what was a 50-year health care guarantee, one that we have been paying throughout our lives.

Today, under Medicare you are guaranteed coverage the day you turn 65 and for the rest of your life. You can get free preventive care. You can get a 50 percent discount on brand-name prescriptions if you are in the doughnut hole. But now the Republicans are trying to take all that away. The GOP wants to replace Medicare with a voucher system where seniors, once they turn 67, go out into the private market to buy their own health insurance. That puts seniors at the mercy of insurance companies instead of in control of their own care.

We've seen that private insurers will line their pockets rather than provide quality and secure health care. Insurance companies could limit benefits, raise copays, and change which doctors are in their network, none of which occur under Medicare today.

□ 2000

The proposal, rather than tackling skyrocketing health care costs, simply shifts these costs onto the backs of seniors in Medicare. And because the amount of the Medicare voucher won't be tied to rising health care costs, seniors will be forced to shoulder the burden as health care costs increase. According to the nonpartisan Congressional Budget Office, in just 10 short years, out-of-pocket health care expenses for a typical 65-year-old will double under the Republican budget. And in 2030, a new retiree will be paying over $20,000 out of pocket for medical expenses. Rather than fixing our fiscal problems, it just makes seniors pay the bill.

Proponents voted to end Medicare for our seniors because they say we can't afford it. But they're openly pushing for even more budget-busting millionaire tax giveaways. In the same budget that ends Medicare as we know it and makes seniors pay double the health care costs, Big Oil gets tax subsidies, millionaires get tax breaks, and corporations have to pay less taxes. And now we're hearing that Republicans want to make massive cuts in Medicare as payment for their votes on the debt ceiling. Some have proposed requiring Medicare beneficiaries to pay even more for their Medicare benefits, either through higher copays or through higher premiums.

The solution is fixing the real problem of increasing health care costs for all Americans, not shifting cost burdens on our seniors. That's not going to work for the 40 million seniors enrolled in the program who have Medicare for their health and economic security.

But that's not all. Next week, Republicans are going to push through a constitutional amendment to the floor that will force the deepest cuts in Medicare yet. This so-called ''balanced budget amendment'' is just pulling the rug from under the seniors in the name of cutting spending. This amendment is designed to make it easier to reduce the deficit by slashing Medicare benefits rather than by closing tax loopholes for private jets. The way the bill is written, we'd have to privatize Medicare completely and raise its eligibility age to 67.

By forcing Congress to keep spending at unheard of levels, we would inevitably shift the real economic burdens onto the backs of our Nation's most vulnerable, the elderly. It would make it virtually impossible to repeal special tax breaks for the wealthy or Big Oil and gas producers. But it would allow Congress to destroy Medicare with a simple voice vote.

Well, I think that our Federal debt and budget is more than just about dollars and cents. The way we spend our money is a statement of our values and priorities. Republicans want us to believe that cutting benefits to seniors is the only way we can solve our debt crisis, but I say there are other ways. The debt must be addressed, but it should be done in a way that's fair to all. Today the average senior lives on $19,000 a year, just $19,000. We should not balance the budget on the backs of our Nation's seniors. We must protect and strengthen Medicare, not gut it. These talks are about priorities. And my priority is keeping seniors in their own homes, communities, and off the streets.

Mr. TONKO. Representative CHU, you raised an interesting fact with the end to Medicare proposed by the Republicans in the House. The cost shifting that takes hold, it's about a two-thirds/one-third split today. And the out-of-pocket expenses to a senior at times—as you pointed out, $19,000 as an average income—even those out-of-pockets for the one-third today can be rather demanding. But to shift that now to flip it to one-third/two-thirds, where 32 cents on the dollar would be what you're provided with your voucher—as you suggested, through the course of time, it will not reflect accurately well enough the growth in health care costs because they don't index it correctly.

So you start with a one-third burden of what government will contribute. That means 68 cents out of pocket for seniors. I don't know how they would afford it. I represent a disproportionately high number of senior citizens in the 21st Congressional District in New York State. This would be a drain on many households. And when we see the costs that some of them would have to absorb, with pharmaceutical costs that enable them to either recover or at least live in some sort of dignified manner, it is really a strong concern.

And for the groups who are proposing this to have the audacity to suggest that it's what Congress gets—when Congress is getting 72 cents, I believe, on the dollar for their health care coverage, so for every dollar of premium that they pay, 72 cents is covered, as opposed to the 32 cents they would have go the way of senior citizens—nothing could be farther from factual than what they portray here. So this is a cost shifting that is a very painful measure.

We've had a program that's worked so well that seniors in my district say, Hands off my Medicare. Hands off the Medicare. If you want to do anything, make it even stronger. Protect that Medicare program. But that, for 45 years, has worked so well and has worked in a way that has addressed the dignity of seniors in their retirement years. So Representative CHU, we thank you for your participation here this evening.

We've been joined by another colleague, from the State of Maryland, DONNA EDWARDS. I believe it's Maryland's Fourth District, Representative EDWARDS?

Ms. EDWARDS. I thank the gentleman. It is Maryland's Fourth Congressional District, which is just outside of the Nation's Capital. But I can tell you that in the Fourth Congressional District in Maryland, just like across the country, people in my congressional district are just stymied at the idea that we would in any way reduce Medicare benefits——

Mr. TONKO. Or end them.

Ms. EDWARDS. That we would end them, that we would shift costs on things like Medicaid to our States, that we would reduce benefits for Social Security, all of this in the context of a conversation about lifting a debt ceiling and making cost cuts to things that impact our debt, our long-term debt and our deficits.

I just wanted to point out to the gentleman, most Americans don't know this, but I think they need to understand that, as you can see here from this chart, that the largest portion of our long-term debt is caused by the Bush-era tax cuts, not by Medicare and not by Social Security. Now to be sure, one might argue, I think that we need to make sure that Medicare and Social Security are solvent for generations to come because we want to honor the contract that I've made with my mother, that my son has made with me. But that shouldn't be anywhere near this conversation about lifting the debt ceiling because it isn't the burden of seniors and those with disabilities to bear the burden of paying for these Bush-era tax cuts for those who make over $250,000 instead of shifting that burden where it really needs to be.

Mr. TONKO. Representative EDWARDS, when you talk about this debt, I think we need to state too very clearly that these were off-budget. All of these tax cuts, the wars during those Bush years were paid for by borrowing, and we borrowed from China and other nations totally to pay for this because they were totally off-budget. So people need to know, this debt ceiling limit authorization is to pay for bills that have accrued from decisions made in administrations prior to this and perhaps sessions of Congress that came far before the 112th session of Congress. So it is an authorization to pay bills. And in order to get that approval, there are many who are suggesting we have to cut spending, including ending Medicare.

Ms. EDWARDS. Right. And I think that you were right to correct me. I mean, I think sometimes even I would like to think that perhaps what we're talking about with the Ryan budget that we've heard so much about and with these other ideas is about changing Medicare. But it's actually not about changing Medicare. You're right. It's about ending Medicare, turning it into a system where our seniors and those with disabilities would just kind of get, you know, a check or a voucher and then have to go negotiate with their insurance companies.

Well, I have to tell you, although my mother's a pretty tough negotiator, it would be tough for me to imagine her and other seniors around this country having to negotiate a better health care cost and to navigate that system by negotiating with insurance companies. I think the only one who wins in that game are the insurance companies.

□ 2010

Mr. TONKO. Again, if you would suffer an interruption, when we talk about the beginning days of Medicare, the propensity to do something then would become the same cause today, because people were being impacted by cherry picking, by unaffordable rates, by inaccessible outcomes, where there was absolutely no desire to write a policy for some. And as we look at that age curve rise exponentially, I mean the life expectancy, I believe, in 1965 was 70 years of age. That has grown tremendously. And so now you are going to have more and more people living longer, and we need to help strengthen Medicare. But to end it at a time when people would go back to this rat race of trying to find someone to cover you, it puts the insurance company back in the driver's seat. Seniors would have precious little control over their destiny.

And what I think can be documented clearly from that time in 1965, 1966 is that the economic vitality of senior households, that durability of their income status was held harmless with Medicare. And it used to dip south because health care costs would drain those retirement incomes in some format that would really impoverish our senior community. We're going to head back into the disaster of pre-1965.

Ms. EDWARDS. If the gentleman would yield, I think you point exactly to what the problem is: that rather than our seniors facing their older age with some degree of certainty about being able to meet their health care needs, instead we throw them out to the wolves. This plan would throw them out to the wolves. And I know that's why the gentleman from New York and this gentlewoman from Maryland and all across, frankly, our Democratic Caucus we stand very firmly united behind protecting Medicare benefits from those kinds of cuts and, really, from demolishing the program.

After all, can you imagine that if you were—I just turned 53. And that for those of us who were under age 55, that we would have to, starting now, dig into our pockets, saving up to $6,000 a year so that we could actually pay for costs. That would mean that between now and the time of my retirement, I would have to save up to almost $200,000 to be able to meet those costs. And this at an age when I should be thinking about how I have saved up to this point to have a more comfortable retirement.

Well, that's the predicament that the Ryan budget that was passed by the majority in this Congress in April, that would be the result. Now, we may not know all the dirty details of the proposals that some on the other side have for Medicare in the context of this debt ceiling, but we can only imagine that if their true gift that they wanted to give to the American public and give to our seniors was a plan that would decimate Medicare, I can only imagine what the ideas are for so-called cost savings, which could be quite devastating for our seniors as they look to increase out-of-pocket costs.

And let's think about Medicare for a minute. Because what a lot of people don't understand is they get caught in this business of discussing things like the Consumer Price Index. Well, you know, adjusting things like that is just a fancy way for saying ''cuts.'' So I like to use the one syllable word ''cuts'' to describe what has been on the table for Medicare. Cuts that would result in our seniors having to meet more of the expenses for their health care out of their pockets.

I have talked to seniors in my congressional district who told horrifying stories about how challenging it is for them to meet their day-to-day needs, and that they live and rely almost exclusively on Social Security and on Medicare for their health care coverage. They even do things like, to save money, to save money on their prescription drugs, you know, they may split that heart medication in half. Well, consider, if you will, that if some of these proposals were to go into effect that rather than even splitting that pill in half they would be splitting it in thirds. I mean, this would have a devastating impact on our seniors.

Some have suggested, and the gentleman from New York understands this, that these are about scare tactics. Well, the seniors in my district don't need a scare tactic; they just need the facts. And the facts are that those on the other side, in exchange for providing this huge orange clump here in Bush-era tax cuts for the wealthiest Americans, those 2 percenters who make over $250,000 a year, rather than have them pay their own way, we want to tell our seniors, Dip into your own pocket and meet your health care costs. Negotiate with health insurance companies, when we know that as you age things happen. And they would just say, No, can't cover you or, if we can, it would be for a real premium.

This would be devastating to the Nation's seniors.

I think the thing that I most admire about those who first enacted Medicare is that it really was about how we feel about one neighbor to the next, one generation to the next, that bond that we have that says we actually care about each other and meeting our health care costs, that we don't want seniors left out in the cold when it comes to their health care in their golden years. I want to keep that promise. And I know the gentleman from New York wants to keep it, too.

Mr. TONKO. Absolutely. Representative EDWARDS, you struck on a chord that is just repeated over and over again in my district. Many thought, well, if the seniors are told that this will affect senior communities into the future, that they will get buy-in from today's senior citizens. I am impressed with the very generous statements made, the advocacy embraced by our senior community of today saying, This has served me so well, I don't want it denied my children or my grandchildren.

And as you pointed out, you know, a 54-year-old of today will have to save about $182,000 out of her or his pocket in order to pick up the slack that would be part of this shop on your own, you know, putting the insurance companies back into control. The senior's going to get a voucher that covers a third of the costs that they need to have health care coverage and then dig into their pockets for the rest. So that means a 54-year-old of today will have to save $182,000, but then the 30-year-old will have to save $400,000.

Where are we going with this? This is all to cut a program that has served, with dignity, the senior community of this country, all to pay for the Bush-era tax cuts. So this is a way of sliding savings by ending Medicare and bringing it over to pay for millionaire and billionaire tax cuts and for subsidies to oil companies. This is as vulgar as it can get.

And to attach this to a discussion on debt limit, where we look for authorization to pay our bills, just like America's working families roll up their sleeves, earn that money and pay their bills, they expect the government to do the same thing. And to play a game on Medicare where you deny access and affordability for a basic core human need after a record of tremendous performance since 1966 is, I think, so objectionable that it's no wonder when we go home, when you go to Maryland, when I go back to upstate New York, people are saying, Hands off my Medicare.

Ms. EDWARDS. Will the gentleman yield?

Mr. TONKO. Absolutely.

Ms. EDWARDS. They are saying it with good reason. It's because it's worked. It's because our seniors are no longer wondering in their golden years whether they will be able to meet their health care needs. It's because our seniors and their families are not struggling to make sure that those health care needs are met.

It would be one thing if we were arguing about a program that was inefficient and not cost-effective. But every single piece of data about Medicare tells us it's more efficient than the private sector, that in terms of its cost-effectiveness it's more cost-effective than the private sector. And what I like is that when we passed the Affordable Care Act, and the gentleman will remember this, is that we actually did some things to really strengthen Medicare. I am proud of that.

And I do want to have the discussion about making sure that we strengthen, for future generations, Medicare, Social Security, these important safety net programs. I don't know about your district, the gentleman's district, but I know that in my district in Maryland people have lost their 401(k) plans. They've lost their private pensions to the extent that they have had them. They've lost value in their homes.

□ 2020

The only thing they have left in their golden years is their retirement, their Medicare, and their Social Security; and they are counting on us to protect that.

And perhaps it is that unfortunately this debate about raising the debt ceiling, which I think is an imperative, a moral imperative for us to do, has actually crystallized the bright line between those of us who want to protect Medicare and Social Security and Medicaid and those who want to destroy it, those who have long held the belief that these systems should be privatized, as though somehow that market that fell apart yesterday, if we were investing there, that that would protect people's retirement security when all of us, each of us knows that that won't be true.

And so I am interested in making sure that the 2 percenters, those who make over $250,000, should not have to put the cost and have the cost shifted to our seniors to bear the costs for their tax breaks for corporate loopholes and for things that our seniors didn't have anything to do with, and that's why I like the bright line test of those of us who want to protect Medicare for future generations and those who want to destroy it.

Mr. TONKO. Very well said, Representative EDWARDS, and I just want to attach my comments to yours about the impact of Medicare, an investment that has produced a lucrative dividend. We have kept the dignity factor alive for seniors, we have kept our seniors well, we have enabled them to recover, we have enabled to them to live because of an attachment to our health care plan.

On the other side, we have allowed for spending for a tax cut for millionaires and billionaires, spending on a tax cut for millionaires and billionaires time and time again, knowing that the result is no real lucrative dividend, negligible. We look at not only the spending that people acknowledge was okay for something not returning a dividend, we lost 8.2 million jobs in the Bush recession, but then we borrowed all the money to spend, needed to spend, for that tax cut.

What a contrast. And the Democrats in this House have said, no, let's do programs that have a return. Let's invest in our senior community and let's not spend on these tax cuts that have no dividend, no lucrative dividend.

And if we didn't have the money to spend for tax cuts for millionaires and billionaires, why then did we go and borrow from China and Saudi Arabia?

So it makes very little sense to follow that road to ruin which the Republican plan, once the Ryan plan, now speaks to.

We have been joined by Representative JACKSON LEE from the State of Texas. Welcome, Representative, and thank you for joining in the discussion on the attempts here to end Medicare and to allow for those savings to go toward spending on tax cuts that get somehow attached to a discussion on the debt ceiling, the debt ceiling being raised so that America can pay her bills. It's convoluted at best.

Ms. JACKSON LEE of Texas. I am so glad to have the opportunity to join the gentleman from New York and to specifically focus on his leadership, along with my colleague from Maryland, who, as we were developing the Affordable Care Act, worked so hard on some of these finite issues ensuring that we had the oversight over insurance rates.

We tried to do everything that we could to produce legislation that embraced the concept of Medicare, for example, recognizing and respecting Medicare and then broadening the concept to ensuring that all people had access to health care. But isn't it interesting just a few months later we are standing in the well of the House and we are literally having to hang on to the commonsense program of Medicare.

If I could, I would like to frame the discussion in this manner. You have articulated a very commonsense approach that in any debt ceiling—by the way, let me give my editorial comment. I have voted for a clean debt ceiling just simply to pay America's bills. Unfortunately, that didn't carry the weight of the day.

But what I will say is that the discussions that are being crafted in the media, or at least have been perceived in the media that our Republican friends want to provide to the American people, is that we are broke, is that we have no way of doing anything.

I want to be very clear, I am aware that Americans are out of work. I am aware that we have had 6 months without a jobs bill and that Democrats are trying to put one on the floor.

But I want everyone to know that we have had a significant recovery because of the American Recovery and Reinvestment Act. So we are moving forward except for the fact that we have got to get jobs. We have had seven consecutive quarters where the GDP has grown.

So to make our seniors the brunt of what we have made up in terms of saying we have no money, we cannot think any other way, we have to hit someone who has paid their dues, if you will, is simply wrong and unfair.

As I have said, we are not where we want to be, but the sacrifices that Democrats have made in the Recovery and Reinvestment Act have put us forward. In addition, we have seen growth.

Now we have a budget. First of all, we started off in 2011 with a budget, a Ryan budget, that then suggested that we were so broke we had to voucher Medicare. Frankly, vouchering Medicare is extinguishing Medicare. It's eliminating Medicare as we know it. It is telling a senior that you need a dollar's worth of health care, we can give you a quarter. We are going to give a senior who has invested in America, who has worked all of his or her life, who, as my colleague has said, maybe has fallen on difficult times with a 401(k) and certainly that is because markets have gone up and markets have gone down, and you are going to say now you are going to get a quarter.

Now bring us forward. That bill, of course, was passed by the House, predominantly Republican, with any number of Members who believe there is nothing wrong with that. It has gone nowhere in the Senate. Now we are at a crucial point where the President has asked for us all to be adults, to sit around the table and talk about how can we work this together.

Can we do it with the airplanes and jets? Can we let the Bush tax cuts expire? Can we call upon our friends in the energy industry that is leaps and bounds in profits to craft or to understand a way that we can recraft those particular provisions to bring that money here into the Federal Government?

And I would say to my good friends in business, where it might be, the climate of the United States allows you to thrive. You are doing better because you live in a democracy, you live in a place where we respect property, where we don't run into a corporation and say, you know what, I think I am going to take about, you know, half a trillion dollars from you if you have that much. Just send that check over to the United States Treasury.

We don't do that.

So I want the point to be made tonight that we are on the side of the angels, because it is absolutely ludicrous to not see the difference in life span pre-1965, before Lyndon Baines Johnson, a fellow Texan, announced his desire in the Great Society to find a way to, in essence, respect the senior citizens, the elderly. And at that time he was probably looking at individuals in their 60s because of the wear and tear and the lack of health care to be able to give them an extra lifeline.

To say that he was right and to make sure, I just want to add these points as I come to a close, to be able to suggest that the millions of seniors who now have access to guaranteed benefits are in jeopardy because of the games that are being played about the debt ceiling, a simple, procedural vote, if you will, that allows the debt ceiling to be raised so that we can pay our bills, something that we have done, if I may put in the RECORD, some 74 times since 1962 with no quarrel whatsoever.

Finally, I would argue this: many of those on Medicare are families of veterans, themselves, obviously, may have served, even though I know that they have veterans benefits. But they are people who are willing to sacrifice to build this country. They are seniors.

For us to take away this lifeline is unspeakable. And I hope that as Democrats we will draw a few friends, a few reasonable friends to know that there should be no tying of raising the debt ceiling to Medicare. There should be a tie to raising revenue. That's the commonsense approach to take.

Mr. TONKO. Well said, Representative JACKSON LEE.

You know, for us to now quickly approach this deadline by which the debt ceiling has to be raised and to put the added pressure of ending Medicare into that discussion is vulgar.

□ 2030

Forty-six million Americans are watching this. And they know that they're at risk here simply because people want to unnecessarily attach the end of Medicare into this discussion. And as Representative EDWARDS said earlier, we've improved it with the Affordable Care Act, we've allowed for no deductibles, no copayments for annual checkups and for certain screenings. We're making it stronger. We're trying to get prevention in there to bend that cost curve. Many of us are looking to allow for bulk purchasing of pharmaceuticals, which we do with Medicaid and we do with the VA program. But it was not allowed when the Bush agenda was authorized.

Representative EDWARDS, that chart that you're holding there tonight is still haunting me because I look at all of that debt that was assumed for tax cuts for millionaires that now they want to do again, continue forward, and I look at the wars that were not paid for, I look at the, again, the Medicare part D program that was part of that growth of debt that we're now being asked to pay as the bills have accrued, the interest that we would have to pay if we don't raise that debt ceiling is astronomical.

So, again, we welcome you to the floor this evening on a very important discussion. And your thoughts. You were going into the concerns about Medicare being ended for those that count on you to be their voice here in the House.

Ms. EDWARDS. Thank you for yielding, and it's wonderful to be able to join my colleague from New York and my colleague from Texas in this discussion.

It's so important for the American people, and I just want to remind my colleagues that 46 million to 47 million people, Americans, rely on Medicare for comprehensive health care coverage. When Medicare was first passed, more than half of those who were over 65 didn't have any health care coverage—more than half. Today, that's not true. Thirty percent of the number of elderly Americans lived in poverty before Medicare, and that number is now reduced to about 7½ percent. So the quality of life and the health care of our seniors has improved radically since Medicare's passage in 1965.

So, what would it really mean to end Medicare? Well, it would mean that those seniors who are out in my congressional district and yours around the country would be subject, once again, to perhaps being one of the more than half of those who would not have comprehensive health care coverage.

And I am struck, as you are, when I look at these lines of what is really causing our long-term debt. And I see this big orange glob right here into the future, and I realize that it is the Bush-era tax cuts for millionaires and billionaires. And I think, how fair is that to our seniors who are living on Medicare and Social Security? I look at the cost of the wars in Iraq and Afghanistan. Some have argued that those wars are really unsustainable into the future, and yet they comprise a substantial portion of our long-term debt because they were never paid for when we began those engagements.

I look at the Troubled Asset Relief Program into the future. But what I see there is that it's this thin bluish line here, the thin one there. And what that means is that we have actually paid that back under the Obama administration and Democratic control of the Congress. And then we have this big glob here that's about the current economic downturn. And it strikes me that if the Congress really wanted to do something, if the majority really wanted to do something, leave Medicare alone, leave Social Security alone and leave Medicaid alone. Don't shift that to the States. Focus on creating jobs and getting 20-some million people back to work so that they can contribute to our tax base, so that they can contribute to Medicare and to Social Security. Do a jobs program, and that will strengthen some of these programs that we care so deeply about.

Mr. TONKO. Congresswoman EDWARDS and Congresswoman JACKSON LEE, I would say, too, that Medicare, yes, speaks to the health care needs of senior households, but there's also a stability there. There's a security so that some of the available expenditures that are out there today from seniors investing in their community, spending in their community, would be lost. And so the economic recovery, then, again, gets threatened.

And when I look at this, all through that blob of color of which you speak, all during that time was like a loss of 8.2 million jobs. So where was the quantifiable benefit of all of this relief to those perched way high on the income ladder? There wasn't a corresponding benefit. So we need to recognize what works and works well. And when Medicare has worked for all these years, why would we threaten it? And what I think bothers me most—I'm on the Budget Committee, and today we had a hearing with Secretary Sebelius. And when you talk about bending that health care cost curve, the Republican plan, after they end Medicare and they toss it to the market for the shopping to be done by our senior community, there's no bending of the cost curve. They're saying sharpen the pencil, bottom-line benefit through competition to help our seniors.

We have watched, Representative JACKSON LEE, since the start of Medicare the private sector insurance costs have risen by over 5,000 percent, that's 5,000 percent. The track record on Medicare, no administrative burden to speak of—no heavy one—no marketing budget, no wasteful expenditures and no high profit columns, we've seen back-to-back profit columns go out of sight for these industries. And when we look at this, when we say we need to go to the bank to borrow, that's helping the friends in the big bank industry. When we need to put it in the private sector and end Medicare, that's helping the deep pockets of the insurance industry. This is like helping those who are looking for more business at the expense of containing costs, bending a health care curve, providing for dignity for the senior community and shedding a program that has worked for nearly half a century and that people have advocated should be there for their children and their grandchildren and generations yet unborn. That is uniquely American. That's uniquely American. It shows and expresses a degree of sensitivity, of compassion and of ability to make things happen.

A budget, a plan that we put together here is merely a listing of our priorities. What do we deem most essential? And when you can reach 46 million, 47 million people in their golden years and provide guaranteed health care, that ought to be a high priority, not taking the savings of ending Medicare to pay for millionaire tax cuts, billionaire tax cuts, or oil industry handouts. Let's get real. Let's get real here. Let's get compassionate. Let's be understanding that what we're ending has a tremendously sound bit of history.

Ms. JACKSON LEE of Texas. I thank you for your passion. What you're saying makes me think what we're doing even to the younger generation because you just made a point that it's lasted for over half a century, if I could use that term, over 50 years. And it is a framework that can be in place for those who are young. And if we take it apart, we will not have this structure that has been helpful. There is no reason to ignore modernizing. We're not against that, looking at ways to improve Medicare. But that's not what our Republican friends are saying. They're talking about ending it as we know it, vouchering it.

And there's a story about the running of the bulls. And frankly, I have this image of a voucher plan, or the plan that will come about through cuts in guaranteed benefits, of the running of the bulls, the running of seniors running toward, trying to get that last voucher that is being handed out, trampling each other because they're seeking that one lifeline that they need.

In addition, we need to be very real about Medicare. Medicare is the infrastructure of our hospital system. You cut into Medicare, you're talking about closing hospitals, you're talking about eliminating physicians, and you're talking about ending care as we know it. Is there any understanding to the fact that we need to be adults and sit down?

When I left my city of Houston, I spoke to my constituents on Sunday. I held a press conference to indicate my commitment to helping to preserve Social Security, Medicaid and Medicare. The idea was that this will impact our city. You will see jobs lost. We have the Texas Medical Center. It will see businesses close and people have the inability to care for themselves or their senior family members.

So this simple issue of a debt ceiling speaks, I think, very eloquently to the need for common sense. And you have laid out very clearly we've had it for this period of time, we've been able to keep a structure that has helped to save lives, it has this amount of life, it can have a longer life as we continue to improve it and to ensure that there is no waste, fraud, and abuse. And for me, I cannot imagine, I cannot imagine a picture of seniors trampling each other to get that last voucher or having to be told by their government, a country that they've served and worked for and raised their children in, there is no room at the inn for you, there's no opportunity for your health care, there's no more Medicare; by the way, we had to pay tax cuts or we had to give the billionaires and rich folk the long period of time of tax holidays, and we just didn't have any opportunity for you.

That is unacceptable. It is un-American. And I think we can do better. And we need to fight to protect Medicare as we are doing as Democrats. And I would encourage and welcome my friends, my Republican friends, to join us in doing the right thing.

□ 2040

Mr. TONKO. The Representative from Texas talked about strengthening and improving Medicare, not ending it.

Some have suggested as much as $156 billion could be saved by bulk purchasing for our pharmaceutical needs for the program, for Medicare. That also is a savings of probably, I think I've heard, $27 billion as the number for seniors, themselves, because there is a fraction that they assume in those costs. If we do that, we send over not only the savings for government but we send it over to the senior community, also. And so there are ways to address fraud and inefficiency.

The New York Times reported just a short while ago that there were double chest CT scans being done, CT chest scans being done and that the Federal Government was overbilled by some $25 million. That's one small example of accountability, or lack thereof, and the need to continually stay vigilant in our efforts to search out fraud and inefficiency.

But take it, make it work, strengthen it and provide for that continuation, just the stability that we can provide to enable seniors to breathe more easily, to know that a basic core need for them that's correlated as they grow older, as any of us grows older, it's correlated that you're going to require that health care attachment.

And how dare we—I say ''we''—how dare they, how dare a Republican majority in this House suggest it's worked well, it's been there for seniors for 46 years, but we're ending it, because we're going to box the situation: if you want your debt ceiling limit to be raised so America can pay her bills, you're going to do it with spending cuts and we're starting with Medicare and Social Security and Medicaid.

Well, isn't that nice? That's a take-it-and-weep scenario, and that is terrible because the people that would weep deserve our voice to be heard resoundingly on the floor, to say we step in and we defend the program and, more importantly, we defend the recipients of the program.

Representative EDWARDS, Maryland's Fourth District Rep.

Ms. EDWARDS. I thank the gentleman from New York and the gentlewoman from Texas for pointing out the fallacy of this argument that somehow in this discussion of lifting the debt ceiling, which I believe each of us voted to lift that debt ceiling in a clean vote. We understand that that is our moral responsibility, it's our obligation to meet the full faith and credit obligations of the United States, but that's not what this discussion is, and it is precisely the reason that I caution us against putting into the debt ceiling discussion any changes to Medicare benefits and Social Security benefits and Medicaid. The reason is because, as I've demonstrated by showing this chart, and I would love to say that this is my chart but it's not. It was produced by the independent Congressional Budget Office, and it shows the contributing factors, the significant contributing factors in these colors here of the long-term debt. That's what we're talking about, raising the debt ceiling to meet those obligations that have already been laid out.

Some people have described that those of us who are speaking in favor of Medicare and Social Security and making sure that we protect Medicare and Social Security beneficiaries from cuts, that we're passionate, but that passion is deeply connected to fact. It is connected to the fact that we are passionate about the guaranteed benefit of Medicare. It's connected to the fact that we are committed to lowering prescription drug costs by closing the doughnut hole, whereas the Ryan budget, the Republican budget, would open that doughnut hole all over again for our seniors, causing them to dip into their already fragile pockets to meet their prescription drug needs.

The gentleman from New York has already pointed to ways in which we could actually negotiate prescription drugs in bulk so that we could significantly lower costs for our seniors, but that's not what's on the table. Those of us who are passionate have been described as passionate because we want to ensure that our seniors are receiving primary care, getting preventive care so that it does bend that cost curve. That's the source of our passion, but it's rooted in fact.

And what is really true is the fact that our seniors did not cause the significant factors that are related to our long-term debt. I want to repeat that to the gentleman. I know that you know this, but it's really important for the American people to understand that the contributors to our long-term debt are tax cuts, that are not paid for, for millionaires and billionaires. We should get rid of them. We should not be protecting those tax cuts on the backs of our seniors.

The wars in Iraq and Afghanistan, the President has already begun a drawdown. It could be more significant so that we could save in the long run, making certain that we get people back to work so that they are contributing to our tax base in the way that we need. And, of course, we know that we have to raise revenue. We must raise revenue. Our seniors understand that. But what we cannot do is shift the burden for these things that were not caused by seniors onto the backs of our seniors by pushing them into really unfair cuts to their Medicare and Social Security benefits.

Mr. TONKO. Very well said.

We have about 5 minutes left. I'm just going to do a bit of close and then ask for each of our Representatives that remain here on the floor—we were joined earlier by Representative CHU from California—to offer your sentiments, and then we will bring the hour to a close.

What I think is very important to note is that if we can find ways to save on Medicare, we should invest that in Medicare to strengthen Medicare. If we can find ways to save in Social Security, reinvest in Social Security. They deserve to be stand-alones because they are prime, prime opportunities, programs for strengthening the fabric of America's families. So that should be a separate turf and not be using these dollars, these savings as the Republicans would end Medicare, to somehow bring that over in a fungible fashion to pay for these tax cuts.

Today, I talked to my medical colleges, and they are going to get impacted by the cuts to NIH. In New York State, we probably have over a billion dollars in revenue streams that go to hospitals for research. So you cut the NIH program, you put more people out of work, and you cut a revenue stream for hospitals that need to train the human infrastructure that will make all of our health care programs work. Similarly, when you look at our need to compete effectively in a global economy on clean energy and innovation, the winner of that race will be the go-to nation that will create stability for generations of their workers. Why shouldn't America be number one in that investment?

If we can find savings somewhere or if we do create revenues, they need to go into investments to grow jobs. That's what America told us at the polls last November: we want jobs to be the number one priority. We haven't done a jobs bill in this House; but we've come up and found ways to end Medicare, which right now is so vulnerable to this discussion on the debt ceiling limit. We have to end that crazy plan, and we need to go forward with a sensible plan that enables us to invest in jobs, invest in our senior community, invest in their well-being and to again see these two programs worthy of saving and strengthening; and if we have the economic means, let's do it.

Representative JACKSON Lee, we will go to you and then to Representative EDWARDS, and we will be done with our hour.

Ms. JACKSON LEE of Texas. Thank you very much for leading us in this discussion.

The message should be albeit we have some concerns, we are not broke. We need to fix jobs and investment and we need to save Medicare, Medicaid, and Social Security. They have not contributed to our debt, and we cannot allow seniors to run like bulls to seek medical care in this great and wonderful country. I, for one, will not stand for it.

Thank you.

Mr. TONKO. And now to Representative EDWARDS, and then we will be through.

□ 2050

Ms. EDWARDS. Well, I thank you, and I thank the gentleman for bringing us together.

I hope what the American people understand is that the Democrats in this House are prepared to protect Medicare benefits and Social Security benefits for our seniors and for future generations; that our young people should know that as they enter the workforce, because we are going to make sure that they have jobs for the future, that they will be contributing to Medicare and Social Security for future generations.

This is really a values test. This is where we have to have the perfect alignment of policy, of politics, and our values, and that rests in protecting Medicare and Social Security from benefits cuts.

Mr. TONKO. Thank you very much.

With that, I yield back the balance of my time.

## IMMIGRATION

The SPEAKER pro tempore (Mr. JOHNSON of Ohio). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to address you here on the floor of the United States House of Representatives and to bring to the attention of this body some subject matter that doesn't often get a debate here on the floor but it does get some discussion in Special Order time and sometimes in the 1-minute and 5-minutes that Members present to you here in this great deliberative place that we have the privilege to serve in.

One of the things that I wanted to bring before your attention here this evening is the immigration issue here in the United States. It is something that I don't know has been discussed here for some time. I bring this forward because it is an important issue. It is essential that we maintain and sustain and enhance the rule of law here in the United States. So I bring this forward. A number of things are on my mind.

The first thing that comes to mind for me is a subject that was reported on Fox News on July 11. I picked up this article and I wanted to express this to you on what is going on.

I introduced early in January, one of the first days of business here in this new 112th Congress, the Birthright Citizenship Act of 2011. Mr. Speaker, I brought this act forward working with people who have been leaders on this issue for some time. One of them would be our friend, Nathan Deal, now Governor Deal of Georgia, who was the lead on this issue when he served in the United States Congress. And some of the successor people involved would be Congressman PHIL GINGREY of Georgia and the incoming freshman from Georgia, ROB WOODALL; from California, Congressman GARY G. MILLER, one who has been a strong proponent of the rule of law and standing up for the rights of American citizens. These people and others have been strong supporters of the Birthright Citizenship Act. And because of my role on the Immigration Committee where I have been for now going onto the 9th year, it seemed to be a better fit for me to carry this legislation, so I stepped forward with it because we needed to take a position.

What is going on, Mr. Speaker, is that in the United States of America, there are people who erroneously read the 14th Amendment of the Constitution in the component that addresses what we call birthright citizenship. It says, in the 14th Amendment, that all persons born or naturalized in the United States and subject to the jurisdiction thereof are American citizens. All persons born or naturalized in the United States and subject to the jurisdiction thereof are American citizens.

Now, the circumstances are that it has created a misinterpretation. A misinterpretation of this section of the 14th Amendment has created birthright tourism. So we have, you might see a $30,000 turnkey operation going on where a pregnant woman in China, and she is probably going to have a benefactor that would sponsor this, could receive a turnkey operation for a little tourism trip into the United States, get her on an airplane and smuggle her into the United States one way or another where she would have a baby. She would be 8½ months pregnant or so, theoretically, and have the baby here in the United States. The baby would get a nice, new American birth certificate with his little footprint stamped on it. And then that baby might go back to China with the baby's mother, or the mother might stay here in the United States with family and friends, whoever might want to harbor that mother and/or child. And when that child is old enough, the child can sponsor the entire family to come in the United States by virtue of that automatic citizenship that is conferred upon a child that is born here to an illegal mother and a who-knows father.

That is going on not just in rare circumstances, and certainly not just with Chinese. In fact, that is not one of the larger numbers. It is happening in this country someplace between 340,000 times a year and 750,000 times a year, Mr. Speaker. We have a people that sneak into the United States for the purpose of having a baby so that baby can become an American citizenship.

I believe, as the chairman of the full Judiciary Committee, LAMAR SMITH, believes, that citizenship should be precious. It should be precious. It shouldn't be dealt out. It shouldn't be something that you can buy a turnkey ticket to game the system to have a baby that then is automatically an American citizen subject to the jurisdiction thereof.

Mr. Speaker, I will argue that Chinese woman that flies into the United States with a $30,000 turnkey tourism for birthright is not subject to the jurisdiction of the United States, not in the way that was envisioned by the people that wrote the 14th Amendment to the Constitution.

The 14th Amendment to the Constitution was put in place to guarantee that the babies born to formerly slaves, and then at that time of ratification freed slaves, would be American citizens, that the babies born to the freed slaves would not be denied all of the rights of citizenship as were guaranteed to them in the 13th and 14th Amendments. And it took into account that babies born on Indian reservations, some of them, would have lost their rights, their tribal rights on those reservations if they had become automatic American citizens. So some of the Native Americans said, no, they didn't want that conferred upon them.

The drafters of the 14th Amendment then wrote language in it to preclude automatic citizenship to any Homo sapien that was born within the territory of the United States. They also had to be subject to the jurisdiction thereof. And this Congress went through a great deal of debate in the House and in the Senate on what that actually meant in the clause, ''subject to the jurisdiction thereof.''

It was not contemplated that the children of diplomats would become automatic American citizens. It was not contemplated that certain Native Americans born on certain reservations would be subject to the jurisdiction thereof and become American citizens. But it was contemplated that the children born to freed slaves would be American citizens.

It is a guarantee, and it was written with a significant amount of wisdom. They could not have anticipated that America would get so lazy and so lax that this constitutional amendment would drift its way into a practice, an erroneous practice of conferring automatic citizenship on mostly any baby that would be born in America.

Now, here is how it is. If there is a plane flying through the United States, and let's just say this plane is bound from China to Toronto, which does happen, Mr. Speaker. And it was going to be a flight that was going to be a direct flight and drop into Toronto, but because of weather conditions or maybe mechanical problems, it had to land in Chicago. Let's just say if there is a woman pregnant on that plane who is flying into Toronto and the plane lands in Chicago and it is stuck there for mechanical repairs or a weather-related delay and the woman is inside security and has the baby, the baby is not an American citizen. But if she walks through the security, is outside the security during the layover and has the baby out there, this baby is an American citizen.

That is what has been going on in the practice of this automatic citizenship that I think is an erroneous misinterpretation, and I think a willful misinterpretation, or probably more often a lazy misinterpretation of the 14th Amendment of the Constitution.

And so I have introduced the Birthright Citizenship Act of 2011, along with the friends and colleagues that I have mentioned and many others, and a good number of cosponsors who take the position with me that if a child is born in America, has to be born to at least one legal parent in order to be a citizen of the United States. It is pretty simple. It clarifies the 14th Amendment. It clarifies the clause in the 14th Amendment, ''subject to the jurisdiction thereof.'' Congress has the authority to do that.

I got concerned about this when there were a couple of Senators who were talking about the need to amend the Constitution to fix this problem.

□ 2100

Mr. Speaker, it doesn't require a constitutional amendment to fix the automatic citizenship practice that is so flawed that it confers an automatic citizenship on as many as 750,000 babies born to illegal parents here in the United States.

To give you an example, as I said, it's not just a Chinese woman who comes over here, pregnant, to have the baby here—and that happens on a very regular basis. It's often someone who comes in from a neighboring country. We know, of the criminal aliens that are in our prisons, two-thirds of them come from Mexico. One might presume that of a similar number of these automatic citizenship babies also their mothers are citizens of Mexico who are in the United States illegally, having the babies here and picking up that automatic citizenship, that birth certificate. They may or may not go back to their home country, but you can bet that when the time comes that that child will already be programmed to petition for the family reunification plan, which has our immigration plan in America out of control—out of control.

So what do we do about this?

The Birthright Citizenship Act of 2011.

It should be a simple decision for this United States Congress to address this situation, but some will argue, well, ''subject to the jurisdiction thereof'' means nothing, that that clause in the 14th Amendment doesn't have meaning; therefore, it requires that they all be citizens. I think that is a very thin and a very marginal argument at best. The clause must mean something.

''All persons born or naturalized in the United States, and subject to the jurisdiction thereof,'' are American citizens. There is a reason that it says: ''and subject to the jurisdiction thereof.'' If everyone born in the territory of the United States is automatically a citizen, you would strike that language from the 14th Amendment ''and subject to the jurisdiction thereof,'' and it would simply read: ''All persons born or naturalized in the United States'' are American citizens. If that were the intent, if that were the understanding of the 14th Amendment, that's what it would have said, Mr. Speaker, but it says: ''and subject to the jurisdiction thereof.'' The definition of that phrase is subject to the interpretation of the understanding of what it meant at the time of the ratification of the 14th Amendment, and it meant that ''subject to the jurisdiction thereof'' didn't mean that there was going to be automatic citizenship for illegals.

Granted, we didn't have much for immigration laws at the time. There wasn't enough human migration to be very concerned about it, but they clearly didn't intend to confer automatic citizenship on Native Americans born on reservations that were not subject to the jurisdiction of the United States. They clearly didn't intend to confer automatic citizenship on the children born to the diplomats or their staff, or for tourists for that matter. I mention the tourism part when I explain what happens if a plane lands in Chicago on its way to Toronto and a baby is born. Which side of the security? Here is automatic citizenship on the U.S. side of the security. That's nuts, Mr. Speaker, but we've gotten lazy and lax with the practice of conferring automatic citizenship.

So people don't challenge it, and I'm really worried about an administration—actually, I've been worried about a couple of those administrations since I've arrived in this town—that doesn't seem to have much vigor for enforcing immigration law. It's pretty frustrating to be here in the United States Congress, pounding away to have to pass legislation to fix something that's just a matter of intellectual laziness; but the people who are enforcing this, the people who are handing out birth certificates almost like candy, aren't challenging it. They don't have a very good constitutional understanding or there would be some pushback out there from across the countryside.

In the OB ward of the hospitals around the country, they've got to have stacks of these birth certificates, and when a baby is born, it's almost an automatic process. Here is the footprint. Here is the data. Here is the birth certificate. Send that child off. He's an American citizen. What do we suppose happens if a diplomat or the wife of a diplomat or even a staff of the diplomat comes into the hospital to have a baby?

Do they meet them at the door and say, ''Do you happen to be a diplomat? Are you here on some kind of foreign immunity, and you're planning on having a baby here, and do you think that baby is going to be an American citizen?''

''No, we're not going to allow it. Citizenship is not going to be cheapened like that.''

That doesn't happen, Mr. Speaker. What really happens is the children of diplomats are often conferred with automatic citizenship because the whole system of America is so automatic that any baby born inside the U.S. territory is just given the paperwork and the documents.

Here is an article that came out on Fox News, as I mentioned a little bit earlier, reported on July 11—by good, thorough people, I might add. This is Elizabeth Robichaux Brown who has written this article.

The Center for Immigration Studies says: ''Foreign diplomats are obtaining U.S. birth certificates and Social Security numbers for their newborn children—effectively becoming U.S. citizens. On top of their new status in the world, these children carry an additional perk that most Americans do not have—diplomatic immunity.'' So it creates what the CIS describes as a ''super citizen.'' Just like their parents, most are immune to the criminal jurisdiction of the United States, creating super citizens. These super citizens are, of course, children of diplomats, and all they need to have is a U.S. birth certificate and a Social Security number, and they're effectively American citizens.

Who is going to challenge it? There's no question on the birth certificate that asks the question: Are you a diplomat? Is one of your parents legal? an American citizen, perhaps? Those questions don't get asked. They just routinely stamp those birth certificates and send those children off with automatic citizenship 340,000 to 750,000 times a year—some who are clearly not subject to the jurisdiction thereof.

In fact, in the concluding statement in the article, you've got a statement here from one of the proponents of the policy that I advocate, a statement that says: ''Despite Congress' clear intent to not create a completely universal and automatic birthright citizenship policy, the current application of the Citizenship Clause is so lax that the United States has a de facto universal birthright citizenship policy that denies U.S. citizenship by birth to no one, including children born to foreign diplomats.''

Mr. Speaker, that has to change. We intend to change that with the Birthright Citizenship Act of 2011—that's H.R. 140—and I intend to be engaged in that and to be helping to move that legislation forward.

It has gotten to the point where the children of diplomats, with diplomatic immunity, are getting automatic American citizenship just because they're born inside the territory of the United States—perhaps not even born on U.S. soil. They might even potentially be born in that sovereign territory of the Embassy itself, and they're still American citizens.

Then, Mr. Speaker, we also have an out-of-control legal immigration system, aside from the illegal immigration, which I talk about quite a lot. If we look back over the last decade, we'll see that we brought in, roughly, one and a quarter legal immigrants a year. Over that last decade, if you would look at the new jobs created by the United States economy, those new jobs created are going to average about one and a quarter million jobs a year. This is before the recession began. These numbers held up then, and they're even stronger now. The new jobs created by the American economy have been almost exactly the same number of jobs that would be taken by the legal immigrants who come into the United States.

If we had shut down, slowed down, the legal immigration in the United States over the last 10 years, there would have been just, say, roughly, 10 million fewer legal immigrants in America, and we'd have 10 million fewer unemployed Americans. That's just a simple way of looking at this. I don't propose that we eliminate all legal immigration, not by any means, Mr. Speaker. What I do propose is that we do an economic analysis of this. When we look at real numbers of testimony that have come before the committee, under oath data, here is what we have:

A country should establish an immigration policy that is designed to enhance the economic, the social and the cultural well-being of the United States of America. That should be our task. Yet, with our legal immigration, that legal immigration that is based upon merit, when we take a look at what these individuals have to offer the United States, when we take a look at what they have for capital to invest or their ability to assimilate or their educational background or their relative youth so they've got some years to contribute before they start to draw from the system, these are all logical things that we should ask for.

□ 2110

But it's only between 7 and 11 percent of the legal immigration in American that is based upon anything that has to do with what's good for America. And the balance of it would be 89 to 93 percent of the legal immigration in America is out of the control of the value judgment of the American people, in the hands of the legal immigrants—or sometimes the illegal immigrants—themselves. It's out of our control.

Birthright citizenship is a piece of that that I'm not even sure is part of this equation that I've just described to you. There is a family reunification plan that takes up a big chunk of this, that once someone comes in they can start bringing in their family and their extended family, and it goes out like a tree to no end. We need to limit that family reunification plan. And we need to roll this thing back around and base the legal immigration in America on merit again—what do they have to offer the United States?

And Mr. Speaker, I will say also, we had testimony before the committee, and there were a number of strong faithful representatives that testified there. Some of them are national leaders in the faith community who argued that we need to find a way to accommodate the 11 million to 20 million illegals that are here in America and give them a path to citizenship. And every one of them said that they thought they should go to the back of the line. They should go to the back of the line, the 11 million to 20 million illegals in America should go to the back of the line, but we should give them a means by which they can earn American citizenship. Well, think about it, Mr. Speaker, go to the back of the line. Which line? I asked them, which line? Well, the back of the line. Now that's a talking point that apparently wasn't thought about any deeper than that because if they can't answer the question which line, they surely don't know where that line is. Is it in the United States or is it in lines in the foreign countries, people waiting to come into the United States?

I would submit that if those who are in the United States illegally are to go to the back of the line, it's not a line in the United States. The people in line to come into the United States legally are, by definition, not in the United States. They're outside the United States, they're in their home country, they're following the laws of America, they're lined up to come in the right way—God bless them for doing that. But that line, that line of legal waitees—to maybe coin a phrase—the line of people who are willing to respect American immigration law, get in line and wait in line isn't just some short little old line that you can put 11 million to 20 million people behind and think you're going to process them through. That line of the people who are respecting American laws and are waiting to come into the United States legally, none of them are in the United

States. It's 50 million strong, Mr. Speaker; 50 million people have taken the trouble to line up to try to come into the United States legally.

We are the most generous country in the world by far, letting in around 1.25 million legal immigrants—a very small percentage of them actually come here because of merit, as I said—and meanwhile we've got 11 million to 20 million here in this country that have disrespected our laws. And I would suggest that I would much rather see the 11 million to 20 million who are in the line respecting American laws waiting to come in, I would like to see them come in and become American citizens ahead of those who have disrespected American laws. That sustains the rule of law. That upholds the rule of law. That strengthens us as a Nation. And rewarding law breakers weakens the rule of law and weakens us as a Nation and chisels away at that beautiful marble pillar of American exceptionalism called the rule of law. That's the equation.

And I hear constantly arguments from people that have their own interests, their own viewpoint. They need somebody to milk the cows or they need somebody to take care of their equestrian herd or they need somebody to do their gardening, they need somebody to be their butler or their maid. So they're saying, I can't afford to hire somebody in this country. You need to bring me some cheaper labor.

I would suggest that Robert Rector of the Heritage Foundation is right: We have become a welfare state. And a household headed by a high school dropout, without regard to their immigration status, costs the taxpayer annually $23,449 a year. But it boils down to this: They will draw down $32,000 a year in benefits—a welfare state—they will pay $9,000 a year in taxes. And that's the change, that's the difference. And when you multiply it times 50 years of managing the household, being the head of the household, 50 years, it costs the taxpayers an average of $1.5 million to subsidize that household. And that's a high school dropout. Now it may not get worse when they're an illegal high school dropout, but it doesn't get a lot better. There is a net number, too, that he produces, I think that's around the order of $19,499 a year. In this area, let's say $20,000 a year, plus or minus a thousand or two, for a household headed by a high school dropout and/or an illegal immigrant.

Now the burden to the taxpayer, because we're a welfare state, can't be ignored. And the weight on the taxpayers, when we have an oversupply of cheap labor and an undersupply of taxpayers, and 47 percent of households don't pay income tax, we're living in a welfare state, and we're giving automatic citizenship to 340,000 to 750,000 babies a year that are born to an illegal mother who sneaks into the United States.

And then the President has the temerity to go down to the border in El Paso and make fun of people who think like I do, that say let's build a fence, a wall and a fence. He said some will want a moat, some will want alligators in it. He was standing down there within 220 yards of this, Mr. Speaker. This is El Paso, Texas. This is Juarez, Mexico. Some people would want a moat, some people would want a fence, some would want alligators in it—I don't think there are any alligators in here, Mr. Speaker. But this is the aerial picture that I had seen just a few weeks before the President gave this speech in El Paso. The records are good—not many people are getting across the border here. Why? Because we have—here's a fence right here, this is the Rio Grande River. We have a fence, a river, another fence—here is a patrol road that is patrolled by the Border Patrol. There is a Border Patrol vehicle right here, another one up around the curve—a patrol road, then another fence, then a canal that's forwarding a lot of water, and it flows pretty fast, then another fence. If you can get over that, you're in the United States, into El Paso, and maybe you can catch a ride here and you're home free.

Not a moat, not a moat with alligators; you might say two moats and four fences—a fence, the Rio Grande River, a fence, a patrol road, a fence, a canal with flowing water—and deep—another fence, and then you're off into the United States. Three of those fences you have to climb wet. This is very effective. And the President is standing within 220 yards of that making fun of Americans who think that physical structures help control illegal immigration.

So we're spending $12 billion a year on this southern border, enforcing it and chasing people across the desert 100 miles into the United States. And out of that $12 billion a year, that's $6 million a mile, on average, for every mile on our southern border. I can build you a fence, a wall and a fence for about $2 million a mile, about one-third of the annual budget. And I don't suggest that we build 2,000 miles of it right away, Mr. Speaker. I suggest that we start building it and stop building when they stop going around the end. That's the scenario, that's the logical way to address this. Build a fence, a wall and a fence; use the funding that we have, roll it into that kind of infrastructure. It is effective. And the President's staff didn't serve him very well if he was standing with his back to a fence, a river, a fence, a patrol road, another fence, a canal, and another fence. Those are the barriers to get into the United States, and he's making fun of it. And the Border Patrol is telling us this is effective. It is effective. It's been effective in El Paso, it keeps them in Juarez. It's been effective in San Luis in southwest Arizona. It's not effective where there is nothing. And we have to pay a lot of people a lot of time and money to chase all over the desert after people that walked around the end.

Let's build it until they stop going around the end. Let's pass the Birthright Citizenship Act of 2011. Let's make sure that the kind of security that is in El Paso can be applied in other high-traffic areas. Build a fence until they stop going around the end, and then, Mr. Speaker, we can also pass my New Idea Act, which shuts off the Federal deductibility for wages and benefits paid to illegals, brings the IRS into this mix, and gives the employer safe harbor. All of that. Simple solutions to a complex problem, Mr. Speaker.

I would conclude with that statement, thank you for your attention, and I yield back the balance of my time.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WALDEN (at the request of Mr. CANTOR) for July 11 on account of travel delays.

Mr. NEUGEBAUER (at the request of Mr. CANTOR) for July 11 on account of an unforeseen family medical emergency.

## ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 13, 2011, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2393. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cloquintocet-mexyl; Pesticide Tolerances [EPA-HQ-OPP-2010-0980; FRL-8877-2] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2394. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diethylene glycol mono butyl ether; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0474; FRL-8876-5] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2395. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propylene Oxide; Pesticide Tolerances [EPA-HQ-OPP-2005-0253; FRL-8877-7] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2396. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2005 and 2006'', pursuant to Section 811A of the Native American Programs Act of 1974; to the Committee on Education and the Workforce.

2397. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana — Air Quality, Subchapter 7 and other Subchapters [EPA-R08-OAR-2006-0601; FRL-9223-4] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2398. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Royal Fiberglass Pools, Inc. Adjusted Standard [EPA-R05-OAR-2010-0973; FRL-9319-2] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2399. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Alabama:Birmingham; Determination of Attaining Data for the 1997 Annual Fine Particulate Standard [EPA-R04-OAR-2011-0316-201139; FRL-9426-1] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2400. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Louisiana: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0307; FRL-9323-9] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2401. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for Alaska [EPA-R10-OAR-2011-0045; FRL-9317-8] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2402. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-15, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2403. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 7-11 informing of an intent to sign a Memorandum of Understanding with the Kingdom of Norway; to the Committee on Foreign Affairs.

2404. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a copy of the report entitled, ''Certification of the Fiscal Year 2011 Total Non-Dedicated Revised Local Source Revenues in Support of the District's $181,330,000 General Obligation Bonds (Series 2010A)'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

2405. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank Atlanta, transmitting the 2010 management report and statements on system of internal controls of the Federal Home Loan Bank of Atlanta, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2406. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2407. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Newcastle, WY [Docket No.: FAA-2011-0252; Airspace Docket No. 11-ANM-5] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2408. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Brunswick, ME [Docket No.: FAA-2011-0116; Airspace Docket No. 11-ANE-1] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2409. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bozeman, MT [Docket No.: FAA-2011-0249; Airspace Docket No. 11-ANM-6] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2410. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cocoa, FL [Docket No.: FAA-2011-0070; Airspace Docket No. 11-ASO-43] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2411. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Waynesboro, VA [Docket No.: FAA-2010-1232; Airspace Docket No. 10-AEA-28] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2412. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Duluth, MN [Docket No.: FAA-2011-0123; Airspace Docket No. 11-AGL-2] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2413. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAL-1] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2414. A letter from the Assistant Secretary of the Army, Civil Works, Deparment of Defense, transmitting recommendations for the implementation of four projects by the Secretary of the Army; (H. Doc. No. 112–43); to the Committee on Transportation and Infrastructure and ordered to be printed.

2415. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, ''Report to Congress on Abnormal Occurrences: Fiscal Year [FY] 2010'', pursuant to 42 U.S.C. 5848; jointly to the Committees on Energy and Commerce and Natural Resources.

2416. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2010 annual report on the operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act; jointly to the Committees on Foreign Affairs and Agriculture.

2417. A letter from the Under Secretary, Department of Defense, transmitting the annual report on the National Security Education Program (NSEP) for 2010, pursuant to 50 U.S.C. 1906; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 1062. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes (Rept. 112–142). Referred to the Committee of the Whole House on the State of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 1082. A bill to amend the Investment Advisers Act of 1940 to provide a registration exemption for private equity fund advisers, and for other purposes; with an amendment (Rept. 112–143). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 347. Resolution providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes (Rept. 112–144). Referred to the House Calendar.

Mr. ROGERS of Kentucky: Committee on appropriations. First Semiannual Report on the Activities of the Committee on Appropriations for the 112th Congress (Rept. 112–145). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of Iowa (for himself, Mr. GOHMERT, and Mrs. BACHMANN):

H.R. 2496. A bill to specify that in the event that the debt ceiling is reached, the United States shall prioritize the payment of pay and allowances to members of the Armed Forces, including reserve components thereof, and the payment of obligations on the public debt, and to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap occurs; to the Committee on Ways and Means, and in addition to the Committees on Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mrs. BLACKBURN, Mr. ROYCE, Mr. CAMPBELL, Mr. AKIN, Mr. MARCHANT, Mr. ROHRABACHER, Mrs. MYRICK, Mr. DUNCAN of Tennessee, Mr. JONES, Mr. WOMACK, Mr. YOUNG of Florida, Mr. BUCHANAN, Mr. FORBES, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. COFFMAN of Colorado, Mr. GARY G. MILLER of California, Mr. GALLEGLY, Mr. CARTER, and Mr. HUNTER):

H.R. 2497. A bill to suspend until January 21, 2013, certain provisions of Federal immigration law, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts (for himself, Mr. GUINTA, Ms. TSONGAS, Mr. GRIMM, Mr. MARKEY, Mr. REYES, Ms. RICHARDSON, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. CAPUANO, and Mr. LYNCH):

H.R. 2498. A bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on Veterans' Affairs.

By Mr. KISSELL (for himself, Mr. ROE of Tennessee, Mr. PAUL, Mr. BLUMENAUER, Mr. RANGEL, Ms. BROWN of Florida, Mr. COBLE, Mr. HOLT, Ms. RICHARDSON, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Ms. MOORE, Mr. JACKSON of Illinois, Ms. NORTON, Mr. MILLER of North Carolina, Mr. FRANK of Massachusetts, Mr. SCHIFF, and Mr. PRICE of North Carolina):

H.R. 2499. A bill to amend title XVIII of the Social Security Act to improve the diagnosis and treatment of lymphedema under the Medicare program and to reduce costs under such program related to the treatment of lymphedema; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. ENGEL, Mr. BRADY of Texas, Mr. RANGEL, Mr. GRIMM, Mr. SESSIONS, Mrs. MALONEY, Mrs. CAPITO, Mr. HINCHEY, Mr. SCALISE, Mr. GERLACH, Mr. KING of New York, Mr. GENE GREEN of Texas, Mr. HIGGINS, Mr. CROWLEY, Mrs. BLACKBURN, Mr. KIND, Mr. LEWIS of Georgia, Mr. GONZALEZ, Mr. OLSON, Mr. ACKERMAN, Mr. STIVERS, Mr. BUCSHON, Mrs. LOWEY, Mrs. ELLMERS, Mr. BRADY of Pennsylvania, Ms. CLARKE of New York, Mr. MARINO, Mr. PASCRELL, Mr. FRANK of Massachusetts, Mr. STARK, Mr. PETRI, Mr. LATOURETTE, Mr. SHUSTER, Mr. FARR, Mr. TIBERI, Mr. POMPEO, Mr. LEVIN, Mr. HANNA, Mr. BOSWELL, Mr. RUNYAN, Mr. NEAL, Mr. MCGOVERN, Mr. NADLER, Mr. BUTTERFIELD, Mr. HEINRICH, Mr. BECERRA, Mr. MCDERMOTT, Ms. BERKLEY, Mr. SCHOCK, Mr. MARCHANT, Ms. JACKSON LEE of Texas, and Mr. CANSECO):

H.R. 2500. A bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Ms. SCHAKOWSKY, Mr. FILNER, Mrs. MALONEY, Mr. RANGEL, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mr. GRIJALVA, Mr. FATTAH, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. JACKSON of Illinois, Ms. HIRONO, Ms. NORTON, Ms. MOORE, Ms. FUDGE, Ms. WILSON of Florida, Ms. WOOLSEY, Mrs. CHRISTENSEN, Mr. FARR, Mr. MORAN, Mr. LEWIS of Georgia, Ms. PINGREE of Maine, Ms. RICHARDSON, and Mr. ELLISON):

H.R. 2501. A bill to prohibit discrimination in employment on the basis of an individual's status or history of unemployment; to the Committee on Education and the Workforce.

By Mr. HERGER (for himself and Mr. BLUMENAUER):

H.R. 2502. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Ways and Means.

By Mr. KING of New York (for himself and Mr. GRIMM):

H.R. 2503. A bill to provide for the award of a gold medal on behalf of Congress posthumously to Father Mychal Judge, O.F.M., beloved Chaplain of the Fire Department of New York who passed away as the first recorded victim of the September 11, 2001, attacks in recognition of his example to the Nation of selfless dedication to duty and compassion for one's fellow citizens; to the Committee on Financial Services.

By Mr. LARSON of Connecticut (for himself, Mr. HIMES, Ms. DELAURO, Mr. COURTNEY, and Mr. MURPHY of Connecticut):

H.R. 2504. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Natural Resources.

By Mr. PAULSEN (for himself, Ms. BALDWIN, and Mr. MARKEY):

H.R. 2505. A bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETRI (for himself and Ms. TSONGAS):

H.R. 2506. A bill to establish the National Commission on Effective Marginal Tax Rates for Low-Income Families; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Veterans' Affairs, Financial Services, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA (for himself, Mr. HARPER, Mr. FRANKS of Arizona, Mr. GRIFFIN of Arkansas, Mrs. ELLMERS, Mr. NUNNELEE, Mr. CONAWAY, and Mr. BUCSHON):

H.R. 2507. A bill to exclude employees of the Transportation Security Administration from the collective bargaining rights of Federal employees and provide employment rights and an employee engagement mechanism for passenger and property screeners; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

89. The SPEAKER presented a memorial of the Senate of the State of Tennessee, relative to Senate Joint Resolution No. 111 memorializing the Congress to continue to support career and technical education programs; to the Committee on Education and the Workforce.

90. Also, a memorial of the House of Representatives of the State of Iowa, relative to House Resolution No. 44 supporting the positive impact of the CSBG program in Iowa; to the Committee on Education and the Workforce.

91. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 163 memorializing the Congress and the President of the United States to take such actions as are necessary to provide adequate funding for essential dredging activities on the Lower Mississippi River; to the Committee on Transportation and Infrastructure.

92. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 93 urging the Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011; to the Committee on Ways and Means.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KING of Iowa:

H.R. 2496.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states that "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States."

In addition, Article I, Section 8, Clauses 12 and 13 states that Congress shall have power "To raise and support Armies" and "To provide and maintain a Navy."

Together, these provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds to ensure that U.S. service members will not lose pay due to a funding gap, as well as the power to prioritize the payment of debts.

By Mr. SMITH of Texas:

H.R. 2497.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of section 8 of article I of the Constitution

By Mr. FRANK of Massachusetts:

H.R. 2498.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution; clause 18 of section 8 of article I of the Constitution; section 5 of Amendment XIV to the Constitution.

By Mr. KISSELL:

H.R. 2499.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause

By Mr. BURGESS:

H.R. 2500.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' legislative powers under Article 1, Section 8, of the Constitution. Under this provision, Congress has the authority to regulate "commerce among the several states," "To lay and collect Taxes, Duties, Imposts and Excises," and "To make Rules for the Government."

By Ms. DELAURO:

H.R. 2501.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. HERGER:

H.R. 2502.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. KING of New York:

H.R. 2503.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5

The Congress shall have the Power to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

By Mr. LARSON of Connecticut:

H.R. 2504.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. PAULSEN:

H.R. 2505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. PETRI:

H.R. 2506.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I, which grants Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer therof.''

By Mr. ROKITA:

H.R. 2507.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. NUGENT.
H.R. 104: Mrs. EMERSON and Mr. PETERSON.
H.R. 136: Mr. SHERMAN.
H.R. 176: Ms. CLARKE of New York.
H.R. 177: Mr. LATHAM.
H.R. 178: Mrs. HARTZLER and Mr. COHEN.
H.R. 181: Mr. COURTNEY and Mr. CRITZ.
H.R. 186: Mr. COHEN.
H.R. 198: Mr. BARLETTA and Mr. RUNYAN.
H.R. 218: Ms. MOORE.
H.R. 280: Mr. MCCLINTOCK.
H.R. 282: Mr. MCCLINTOCK.
H.R. 303: Mr. COHEN.
H.R. 327: Mr. HOLDEN.
H.R. 436: Mr. DESJARLAIS.
H.R. 546: Mr. CICILLINE and Mr. GRIFFIN of Arkansas.
H.R. 563: Mr. MARINO.
H.R. 615: Mr. FRANKS of Arizona, Mr. BONNER, Mr. THOMPSON of Pennsylvania, Mr. JOHNSON of Ohio, and Mr. HULTGREN.
H.R. 645: Mr. BARTON of Texas and Mr. CASSIDY.
H.R. 674: Mr. FRANKS of Arizona, Mr. REHBERG, Mr. WEST, Mr. CRAWFORD, Mr. HARRIS, Mrs. EMERSON, Mr. PRICE of Georgia, Mr. SCHWEIKERT, Mr. HIGGINS, and Mr. MARCHANT.
H.R. 687: Mr. REYES.
H.R. 719: Mr. COFFMAN of Colorado, Mrs. LUMMIS, and Mr. SIMPSON.
H.R. 743: Mr. GALLEGLY.
H.R. 745: Mrs. LUMMIS.
H.R. 791: Mr. REYES, Mr. OWENS, and Mr. COURTNEY.
H.R. 798: Ms. NORTON.
H.R. 849: Mr. MILLER of Florida.
H.R. 870: Mr. CLARKE of Michigan.
H.R. 894: Mr. RANGEL.
H.R. 904: Mr. DUNCAN of South Carolina.
H.R. 923: Mr. LIPINSKI and Mr. HULTGREN.
H.R. 931: Mr. DESJARLAIS.
H.R. 997: Mr. BENISHEK, Mr. LUETKEMEYER, Mr. PRICE of Georgia, and Mr. HARPER.
H.R. 1093: Mr. MACK, Mr. DENHAM, Mr. BARTON of Texas, Mr. NUNNELEE, and Mr. HENSARLING.
H.R. 1113: Ms. DELAURO.
H.R. 1161: Mr. CHABOT, Mr. LOEBSACK, and Mr. CASSIDY.
H.R. 1175: Mr. SCHRADER.
H.R. 1195: Ms. NORTON.
H.R. 1206: Mr. BROOKS, Mr. LOBIONDO, and Mr. KING of Iowa.
H.R. 1219: Mr. COURTNEY and Mr. LANGEVIN.
H.R. 1259: Mr. YODER and Ms. ROS-LEHTINEN.
H.R. 1283: Mr. OWENS.
H.R. 1297: Mr. DOYLE.
H.R. 1340: Mr. GRAVES of Missouri.
H.R. 1364: Ms. ZOE LOFGREN of California.
H.R. 1386: Ms. ESHOO, Mr. ACKERMAN, and Ms. TSONGAS.
H.R. 1417: Mr. DOYLE and Mr. HONDA.
H.R. 1426: Mr. RUNYAN.
H.R. 1464: Mr. SCHOCK, Ms. RICHARDSON, Mr. HULTGREN, Mr. HINCHEY, Mr. RANGEL, and Mr. FRANK of Massachusetts.
H.R. 1466: Mr. YOUNG of Alaska.
H.R. 1475: Mr. MORAN.
H.R. 1515: Mr. CONYERS.
H.R. 1558: Mr. SCALISE, Mr. JOHNSON of Ohio, Mr. PETERSON, and Mr. MICHAUD.
H.R. 1581: Mr. BROUN of Georgia and Mr. KLINE.
H.R. 1588: Ms. CASTOR of Florida.
H.R. 1591: Mrs. ELLMERS.
H.R. 1633: Mrs. EMERSON, Mr. KLINE, and Mr. DUNCAN of South Carolina.
H.R. 1663: Mr. MILLER of Florida, Mr. SOUTHERLAND, and Mr. BARLETTA.
H.R. 1703: Ms. SUTTON.
H.R. 1738: Mr. SCHOCK.
H.R. 1744: Mr. REED, Mr. GINGREY of Georgia, Mr. SULLIVAN, Mr. TERRY, Mr. WHITFIELD, Mr. HERGER, Mr. WEBSTER, and Mr. HUNTER.
H.R. 1747: Mr. GIBBS, Mr. JOHNSON of Illinois, and Mr. CRAWFORD.
H.R. 1755: Mr. BARLETTA and Mr. CARNAHAN.
H.R. 1756: Mrs. SCHMIDT.
H.R. 1803: Mr. PETERSON and Mr. COHEN.
H.R. 1852: Mr. QUIGLEY, Mrs. EMERSON, Ms. SEWELL, and Mr. CLAY.
H.R. 1865: Mr. WALZ of Minnesota, Mr. MILLER of Florida, Mr. DEFAZIO, and Mr. CRAWFORD.
H.R. 1872: Mr. CASSIDY.
H.R. 1876: Mr. RANGEL.
H.R. 1894: Mr. DUNCAN of South Carolina.
H.R. 1921: Mr. BURTON of Indiana and Mr. LONG.
H.R. 1932: Mr. HUNTER.
H.R. 1966: Mr. OWENS.
H.R. 1981: Mr. UPTON, Mr. LATOURETTE, Mrs. EMERSON, Mrs. LUMMIS, Mr. QUIGLEY, and Mr. MARINO.
H.R. 1994: Mr. CARNAHAN.
H.R. 2040: Mrs. BACHMANN.
H.R. 2068: Mr. ISRAEL.
H.R. 2069: Mr. WEST and Mr. RIVERA.
H.R. 2091: Mr. MCGOVERN.
H.R. 2140: Ms. ZOE LOFGREN of California and Mr. SCHRADER.
H.R. 2150: Mr. DENHAM.
H.R. 2170: Mr. SOUTHERLAND, Mr. FLORES, Mr. LABRADOR, and Mrs. MCMORRIS RODGERS.
H.R. 2173: Mr. LABRADOR and Mr. FLORES.
H.R. 2182: Mr. LANCE.
H.R. 2198: Mr. WALSH of Illinois.
H.R. 2199: Mr. DUNCAN of South Carolina.
H.R. 2200: Mr. RUSH.
H.R. 2215: Ms. SCHWARTZ.
H.R. 2218: Mr. ROKITA.
H.R. 2236: Ms. TSONGAS, Mr. CONYERS, and Mr. HOLT.
H.R. 2250: Mr. OWENS.
H.R. 2255: Mr. JACKSON of Illinois.
H.R. 2257: Mrs. BLACKBURN.
H.R. 2299: Mr. LONG.
H.R. 2304: Mr. WEST.
H.R. 2324: Mr. WOLF and Mrs. SCHMIDT.
H.R. 2333: Mr. CUMMINGS.
H.R. 2334: Mr. COHEN.
H.R. 2335: Mrs. MILLER of Michigan.
H.R. 2348: Mrs. HARTZLER.
H.R. 2358: Mr. COURTNEY.
H.R. 2371: Mr. LONG, Mr. YOUNG of Alaska, Mr. ROKITA, and Mr. BURTON of Indiana.
H.R. 2375: Mr. BROUN of Georgia.
H.R. 2401: Mr. SCALISE.
H.R. 2402: Mr. SCOTT of South Carolina, Mr. BARLETTA, Mr. FARENTHOLD, Mr. ADERHOLD, Mr. FRANKS of Arizona, and Mr. LABRADOR.
H.R. 2421: Mr. STARK and Ms. BROWN of Florida.
H.R. 2433: Mr. STUTZMAN, Mr. HANNA, Mr. MICA, Mr. GRIMM, and Mr. RUNYAN.
H.R. 2440: Mr. CONSECO.
H.R. 2443: Mr. RUNYAN and Mr. MICA.
H.R. 2457: Mr. POMPEO.
H.R. 2463: Mr. HARRIS.
H.R. 2492: Mr. BARLETTA.
H. Con. Res. 64: Mr. DAVIS of Illinois, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. CROWLEY, Ms. FUDGE, Mr. LOEBSACK, Ms. BORDALLO, Mr. CICILLINE, Mr. MCDERMOTT, Mr. KUCINICH, Mr. FILNER, Mr. DEFAZIO, Mr. LEWIS of Georgia, Ms. JACKSON LEE of Texas, Mr. THOMPSON of Mississippi, Mr. ROTHAM of New Jersey, Ms. PINGREE of Maine, and Mr. STARK.
H. Res. 130: Mr. FARR.
H. Res. 134: Mr. KING of Iowa and Mr. WALBERG.
H. Res. 137: Ms. MCCOLLUM.
H. Res. 159: Mr. DUNCAN of South Carolina.
H. Res. 220: Mr. GRIMM and Mr. ENGEL.
H. Res. 306: Mr. GRIMM and Mrs. MCCARTHY of New York.
H. Res. 317: Mr. GOSAR.
H. Res. 332: Mr. MCCLINTOCK.

## PETITIONS, ETC.

Under clause 3 of rule XII.

17. The SPEAKER presented a petition of The Legislature of Rockland County, New York, relative to Resolution No. 281 urging the Federal Communications Commission to adopt and implement rules that would require mobile service providers to provide service usage alerts and information to customers; which was referred to the Committee on Energy and Commerce.

## AMENDMENTS

Under clause 8 of rule XVII, proposed amendments were submitted as follows:

H.R. 2434

OFFERED BY: MR. RIGELL

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to implement any pay adjustment for Members of Congress under section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)).

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 62: Page 32, lines 4 and 23, insert after the dollar amount ''(reduced by $2,500,000)''.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 63: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to carry out the activities specified in section 505 of the Energy Policy Act of 1992 (42 U.S.C. 13255).

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 64: Page 32, line 4, after the dollar amount insert ''(reduced by $2,500,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $2,500,000)''.

H.R. 2354

OFFERED BY: MR. HOLT

AMENDMENT NO. 65: Page 28, line 13, after the dollar amount, insert ''increased by $42,665,000)''.

Page 33, line 20, after the dollar amount, insert ''(reduced by $42,665,000)''.

H.R. 2354

OFFERED BY: MR. GOSAR

AMENDMENT NO. 66: At the end of he bill (before the short title), insert the following:

SEC. ______. None of the funds made available by this Act may be used to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations.

H.R. 2354

OFFERED BY: MR. ROYCE

AMENDMENT NO. 67: Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used by the Department of Energy for a methane hydrates program.

H.R. 2354

OFFERED BY: MR. ROYCE

AMENDMENT NO. 68: Page 28, line 13, after the dollar amount insert ''reduced by $10,000,000)''.

Page 62, line 2, after the dollar amount insert ''(increased by $10,000,000)''.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, JULY 12, 2011 No. 103

# Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

## PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Ever-present and ever-gracious God, touch the hearts of our lawmakers today with the warmth of Your love and the blessing of Your wisdom. May they develop from the warmth of Your love a civility and respect that will enable them to accomplish Your will on Earth. Empower them to use the blessing of Your wisdom to build a better nation and world. Enlarge their powers with Your strength by infusing their lives with the qualities of character which are needed in these challenging days. Lord, help them to see beyond the baffling and bewildering events of our times, the unfolding of Your loving providence, as they honor their office by striving to please You.

We pray in Your holy Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, July 12, 2011.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
*President pro tempore.*

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business for 1 hour, with the majority controlling the first half and the Republicans controlling the final half.

Following morning business, the Senate will resume consideration of S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit. The filing deadline for all first-degree amendments to S. 1323 is noon today.

The Senate will recess from 12:30 until 2:15 today for our weekly caucus meetings.

As a reminder to all Senators, last night I filed cloture on S. 1323, which is the matter I just spoke about. I also filed cloture on the motion to proceed to H.R. 2055, which is the Military Construction, Veterans Affairs, and Related Agencies Appropriations bill. As a result, there will be up to two rollcall votes tomorrow morning.

## RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

## ECONOMIC POLICY

Mr. MCCONNELL. Madam President, for more than 2 years now, Republicans in Washington have stood united in the belief that America would never recover from the economic crisis that struck our Nation 3 years ago so long as some in Washington persisted in the mistaken belief that government had the cure. For most clear-eyed observers, that view has found its clearest vindication in the daily drumbeat of news about lost jobs, shuttered businesses, and slumping home values, and in the stories each of us hears from our constituents about the economic hardships they continue to face. If anyone was still looking for proof that the President's economic policies have been a failure, they don't have to look any further than the morning papers or their constituent mail. Indeed, the more the administration insisted on spending and debt as a solution to our problems, the worse those problems became and the more Americans demanded the status quo in Washington had to change. But the administration was slow to get the message.

After an election that any honest observer saw as a repudiation of its policies, the White House continued to cling to its playbook. As concerns about debt and deficit grew, the President presented a budget so unequal to the task that not a single Democrat voted for it—not one. As the Nation inched closer to a potential default, the President focused his attention elsewhere.

Meanwhile, Republicans were offering detailed solutions to the approaching crisis. We offered detailed budgets of our own. We offered to work out a compromise that lowered the debt and protected entitlements from bankruptcy. And here is what we got in return: silence.

That is where the debate over the debt limit came in. If Democrats would not agree on their own to do something about their addiction to spending and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

debt, then we refused to enable it. If they wanted our votes to increase the debt limit, then they would have to do something to restrain the size and scope of government first. For a while, there weren't many takers. Democrats from the President on down insisted that we simply raise the debt ceiling and endorse the status quo on spending without any reforms.

That changed a couple of months ago when the President agreed to delegate bipartisan debt-reduction talks to the Vice President. Then, a couple of weeks ago, the President broke his own silence on the debt ceiling and got personally involved himself. Incredibly, for those of us who had been calling for action on this issue day-in and day-out for about 2 years, the President tried to put the burden on us. With the Nation edging closer to the debt limit deadline, the President retreated behind the poll-tested rhetoric of class warfare. At a moment when we needed leadership the most, we got it the least. The financial security of the Nation was being gambled on the President's wager that he could convince people our problems would be solved if we would all agree to take it out on the guy in the fancy house down the street. In my view, that was the saddest commentary on the status of leadership at the White House.

I am proud of the fact that Republicans refused to play along. We stood our ground. We know that what Americans need right now is for the government to make job creation easier, not harder, and we said so. At a time when 14 million Americans are looking for work, we refused to support a tax hike. We supported jobs and economic growth instead. When Democrats saw we wouldn't budge, they proposed one last offer to craft a deal. They asked us to join them in another Washington effort to pull the wool over the eyes of the American people. They offered us the opportunity to participate in the kind of deliberate deception of the public that has given public service such a bad name in recent years. We all saw how it worked. The administration carefully leaked to the media, without any details, the idea that it was willing to go along with trillions of dollars in spending cuts. The lack of detail concealed the fact that the savings they were supposedly willing to support were at best smoke and mirrors. The hope here was that the budget gimmicks and deferred decisionmaking they actually supported would have the appearance of serious belt-tightening, but the practical effect would have been at most about a couple of billion dollars in cuts up front with empty promises of more to follow. We have seen this kind of thing before. It is just the kind of sleight-of-hand governing that has put our Nation more than $14 trillion in debt. I will not associate myself with it, and I refuse to join in an effort to fool the American people.

Republicans have told the President we are not interested in business as usual in Washington, and we actually mean it. We will not be party to something that claims to save trillions but leaves future generations to pick up the tab and future Congresses to reverse it with a simple vote. We will not pretend a bad deal is a good one, which brings me to a larger point.

The suggestion has been made that this debate was hinged on the question of whether the two parties could find a solution to our economic problems without raising taxes. Wrong. We could have done that without breaking a sweat. The truth is, the Democrats saw this debate as a unique opportunity to impose the types of tax hikes they want so badly but couldn't even pass in a Democrat-controlled Senate last year. So let's not be fooled by a false choice. This was not in the end a debate about whether taxes needed to be raised; it was a debate about the kind of government we want. This was a debate between those who believe Washington doesn't have enough money to spend and those, like me, who believe Washington has become too big, too expensive, and too burdensome already. If one thinks the Federal Government isn't big enough, then the only responsible thing to do is to support higher taxes. For those who are honest about that, I appreciate their candor. But for those of us who don't think the Federal Government should be in charge of banks, the auto industry, the housing business, the student loans business, health care, and regulating everything else under the Sun, we are not about to further enable that model of government by shaking down the American people for more money at a time when they can least afford it. That is what this debate is about. It is about saying Washington has gotten too big, and if it can't afford its commitments, then it needs to find a way to cut back on them. But don't demand that the American people pay more so Washington can make its bad habits permanent. I read an article yesterday that said $2 out of every $5 Americans spend right now comes from the Federal Government. Is this really the model we want?

I have a lot of meetings with constituents, and I am not sure I have ever heard anyone say the problem with Washington is they don't have enough money to spend. I don't think I have ever heard that.

It was my hope the two parties could reach a meaningful, bipartisan agreement. I have to say I was initially encouraged by the prospect of the bipartisan discussions led by the Vice President. Although I disagree with him on most issues, Vice President BIDEN is a man I have come to respect as a straight-shooting negotiator. We found common ground last December to prevent a tax hike on the American people, and my hope was we could find a solution once again.

Sadly, these discussions started with the shared goal of reducing the debt but quickly regressed to a public sideshow in which the price of admission became an insistence that we raise taxes on job creators and on millions of American families who don't have yachts or corporate jets. At a time when jobs are few and far between, that is not a price the American people can afford.

So Republicans searched in good faith for common ground, but the goalposts just kept moving. We trudged on, hoping the administration would at some point realize the crisis we face demands a clear change in direction, a departure from the government-driven policies of the past 2 years. But our hopes for a grand bargain eventually ran into the bitter reality that this administration is just not interested in a meaningful and lasting solution to our mounting debt. It is simply too committed to big government. We showed a willingness to sacrifice all along, even as we made it crystal clear from the outset that tax increases would not be a part of any agreement. It was their commitment to big government that stood in the way of a grand bargain. It was their determination to freeze the policies of the past 2 years in place, permanently. The American people don't want that, and Republicans won't be seduced into enabling it.

An ideological commitment to big government has outweighed the White House's commitment to find a meaningful compromise that does not damage our fragile economy in the process. Rather than find a way to bring government back to the people, the administration has committed itself to protecting the size and scope of government at the cost of job creation, economic growth, and America's status in the global economy.

The tragedy in all of this is that we all know what is necessary to solve the economic crisis we face. The answer is to cut spending. The answer is to cut spending.

It is no secret how to solve the entitlement crisis, either. Any one of the people involved in these discussions could write it out on the back of an envelope. It is also no secret that Democrats would rather demagogue any solution Republicans propose in next year's election than join us in seriously reforming them, despite what some Democrats started to say once it became clear Republicans wouldn't agree to a plan that raises taxes.

We all saw the news stories yesterday about how senior Democrats have been worried that reforming Medicare now would make it harder for them to campaign against Republicans later. Evidently, they would rather save their own jobs than save these programs from insolvency.

I truly believed we could get this done. I truly believed, perhaps naively, that this administration would see the necessity of preserving Social Security and Medicare for future generations.

In the end, it appears that the perceived electoral success of demagoguing a solution proved its undoing. Or perhaps it was the ideological commitment to preserving the size of government by the most stridently liberal Members of the other side. Whatever the reasons, Madam President—whatever the reasons—it is a tragic missed opportunity for the country.

I hope the economists are wrong and that our economy will continue to grow over the next year and a half to buy us time to tackle the problems we face. But after years of discussions and months of negotiations, I have little question that as long as this President is in the Oval Office a real solution is probably unattainable. This was not an easy decision for me.

From my first day as Republican leader in the Senate, I have called on Presidents from both parties to work with Congress on real solutions to the problems we face. For more than 2 years I have had conversations with the administration about working together to accomplish something big for the country. On each occasion, I have been met initially with encouraging words that gradually give way to moving the goalposts.

In the end, they have always expressed a fundamental unwillingness to engage in a meaningful effort to reduce spending as a means to rein in the debt. Despite our stagnant economy, and the dire warnings of economic and security experts that we cannot sustain our mounting debt or unfunded liabilities, this President has proven that he will do almost anything to protect the size and the scope of Washington, DC's burgeoning bureaucracy, including to threaten the economic security of every American by backing us up to the edge of default.

I have heard some on the other side of the aisle suggest that Republicans have put us in this position by refusing to accept what they call a balanced approach.

My response is that if the American people have learned one thing over the past few years, it is that they need to bring their decoder rings to any debate in Washington these days. When Democrats say ''investment,'' they mean government spending. When they say ''revenue,'' they mean higher taxes. And when they say ''shared sacrifice,'' they mean they want you to take the hit, not Washington. It starts with the so-called rich, with the owners of the corporate jets, but pretty soon it hits the family flying in coach. Eventually everyone gets fleeced.

Well, Americans have had enough. They think it is time Washington shares in the sacrifice. Republicans invited Democrats into these discussions about finding a solution to our problems, and while we approached them with clear and unwavering principles, we also brought an open mind. The record reflects that. I will not betray the confidence of those who were willing to negotiate with us, but there can be no question by anyone involved in these discussions that Republicans were willing to make tough choices.

So where do we go from here?

Well, I was one of those who had long hoped we could do something big for the country. But in my view the President has presented us with three choices: smoke and mirrors, tax hikes, or default. Republicans choose none of the above. I had hoped to do good, but I refuse to do harm. So Republicans will choose a path that actually reflects the will of the people, which is to do the responsible thing and ensure the government does not default on its obligations, and to continue to press the administration to rein in Washington, not to freeze it in place.

That is why I will continue to urge the President to rein in our deficits and debt in a way that puts the short- and long-term health of our economy ahead of his personal vision of government. That is what the American people want. That is what Republicans will continue to insist on. Nothing less will solve the crises we face. Nothing less will do.

Madam President, I yield the floor.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business for 1 hour, with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## HONORING SERGEANT FIRST CLASS LEROY ARTHUR PETRY

Mr. UDALL of New Mexico. Madam President, I rise today as our Nation honors the bravery and sacrifice of Santa Fe native Leroy Arthur Petry, an Army Ranger who, in 2008, risked his life to save his fellow soldiers on the battlefields of Afghanistan.

Today Sergeant First Class Petry will be honored for his ''conspicuous gallantry'' with our Nation's highest military decoration: the Medal of Honor.

I will be humbled to be at the White House along with Sergeant First Class Petry's family, friends, and fellow soldiers as President Obama honors him with the Congressional Medal of Honor.

It will be a special day for Sergeant First Class Petry, for his wife and his children, and all his family, and for his fellow Americans, as he becomes only the second living active-duty servicemember to receive the Medal of Honor for actions in Iraq or Afghanistan.

Sergeant First Class Petry's story is one of courage and sacrifice and immense love of country. It is a story that began years ago in Santa Fe with a young man who struggled in high school but refused to give up and, instead, buckled down, dug deep, and found the hero within—a hero to the men he saved on that fateful day in Afghanistan, and a hero to all Americans who owe their freedoms to our brave men and women in uniform. It is the story of that day in May of 2008 that I wish to tell you today.

Sergeant First Class Petry was a member of the 75th Ranger Regiment when he and his fellow rangers were deployed to capture a high-value target in Afghanistan. During their raid, they were engaged in a firefight with the enemy when several in their regiment were pinned down by grenades.

Petry had already been wounded by bullet fire, shot through both legs by a hidden enemy. But Petry did not allow his wounds to stop him as the battle raged on. Pinned inside a courtyard with a fellow ranger, he continued the fight, calling in support and creating a brief pause in enemy fire by throwing a grenade their way.

One enemy grenade exploded within 10 yards of Petry and a group of rangers. The explosion knocked the rangers down and wounded two members of the team.

Soon after the first grenade exploded, the insurgents threw a second. This time the grenade landed near two of Petry's comrades. With no thought to his personal safety, Ranger Petry grabbed the grenade and attempted to toss it away. The grenade exploded as he tossed it, taking Petry's hand with it, but saving the lives of those near him.

Losing a hand would have been enough to break most people, but not Sergeant First Class Petry. Instead, he calmly inspected his wound, stemmed the flow of blood with a tourniquet, and continued the fight, helping to pin down the insurgents until they could be killed.

It was this immense act of bravery that saved the lives of his brothers in arms. In fact, one of his fellow rangers, SGT Daniel Higgins, wrote in a statement about that day:

> If not for Staff Sergeant Petry's actions, we would have been seriously wounded or killed.

On that fateful day in 2008, then-Staff Sergeant Petry was no stranger to service to his country. He was on his eighth deployment—let me repeat that: his eighth deployment—in support of U.S. operations overseas, his sixth in Afghanistan, after two tours in Iraq.

Sergeant First Class Petry's life of heroic service was based in humble beginnings. A 1998 story in the Santa Fe New Mexican newspaper featured a then 18-year-old Petry. The young man was a senior at St. Catherine Indian school—the institution's final graduating class. He was also a recipient of the ''Bootstrap'' award, which honored area high school seniors who had committed to improving themselves and their community.

Here is what the teacher who nominated him wrote:

> With a record of fights, suspensions, and ditching school, Petry realized that he was on a path that led nowhere. He tried harder in school and appreciated how it felt to make his parents proud.

From a path to nowhere to a path to history as a national hero, Sergeant First Class Petry is an inspiration for all young people who are struggling to find their place in the world. To young people who may be considering giving up and taking a more destructive path, he is a model.

Three years after his heroic actions on the battlefield, Sergeant First Class Petry continues to give back to his country and his fellow soldiers. As a liaison officer for the U.S. Special Operations Command Care Coalition in Washington State, Sergeant First Class Petry provides a helping hand and much needed resources to wounded soldiers, ill and injured servicemembers, and their families.

Here is what Leroy's father Larry Petry said of his son in a recent interview with a local New Mexico television station:

> He's really overwhelmed by this. He keeps saying, ''Dad, I was just doing my job. Any other soldier would have done it.''

I think we will all agree with what his father said in return:

> Well, son, you did something great, and they really want to honor you for that.

Despite all the attention and recognition brought by this award, Petry—like so many of those brave warriors before him—remains humble. A recent posting on his Facebook page reads:

> The award is bigger than the person . . . and I will always remember that.

New Mexico has a long and proud tradition of military service—exemplified in the heroic actions of SFC Leroy Petry on the battlefields of Afghanistan.

To Sergeant First Class Petry's wife Ashley and their four children, to his mother and father and siblings and extended family, I know I speak for the people of New Mexico and all of America when I offer the thanks of a grateful nation. You sacrificed time with your loved ones so he could bravely serve our country. Along with Sergeant First Class Petry, you are all heroes in our eyes.

Sergeant First Class Petry is highly deserving of this honor, and New Mexico is honored to call him a native son.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, first let me thank the Senator from New Mexico for his heartfelt remarks. I know how much he cares about his constituents and our country. We too at the opposite end of the country thank our soldiers for their sacrifice and also the families of those who make the highest sacrifice to our Nation.

## DEBT DEFAULT

Mr. SCHUMER. Madam President, I rise to speak about a subject that is foremost on my mind and the mind of my Democratic colleagues here today; that is, the danger of defaulting on our debt.

In the entire history of this great country, we have never once defaulted on our debt. America has always kept her promises. But an alarming number of my colleagues on the other side of the aisle seem content to reverse that proud record.

Time after time, they have rejected sensible compromises to avert default. Late last year, all the House Republicans voted against the Simpson-Bowles commission. Then a key Republican walked away from the Gang of 6. Then Leader CANTOR abandoned the Biden-led talks. Most recently, Speaker BOEHNER balked at President Obama's grand bargain-style offer because of pressure from so many in his party. It is an obvious and unsettling trend.

In each of these instances, the Republican retreat was precipitated by one thing and one thing only: an ideological quest to ensure that tax breaks for the richest few are protected. They have insisted we can't raise a single dollar from millionaires and billionaires, no matter how wasteful the tax break or how generous the subsidy.

Instead, they would rather balance the budget on the backs of middle-class families. They think giving tax breaks to millionaires and billionaires creates jobs. What about all those dollars that sit there in vaults and bank accounts? Isn't it true that taking away money from middle-class people hurts the job effort? It is a one-sided ideological quest to help the most privileged few among us.

This morning, The Hill newspaper reported that Majority Leader CANTOR made a proposal at the White House yesterday that outlined $353 billion in health care cuts. Among the cuts listed by Leader CANTOR were approximately $250 billion in reductions in Medicare. According to The Hill, several of his proposals ''would raise costs for Medicare and Medicaid beneficiaries.''

That would protect the wealthiest among us—the millionaires and billionaires—and hurt the average middle-class senior citizens.

This is the tradeoff Leader CANTOR and the Republicans wish to make: protect millionaires and cut Medicare benefits instead. This approach is not balanced, it is not fair, it is not moral, and it will not be accepted.

The proposal by Leader CANTOR is very troubling, but we can't ignore it because, according to press reports this morning, Leader CANTOR is now the leader of these negotiations for the Republicans. It was reported that he did the plurality, if not the majority, of the talking on the Republican side at the meeting yesterday.

Leader CANTOR will need to approach this set of negotiations better than he did the last one. During the Biden-led talks, Leader CANTOR bolted the room as soon as it was time to make tough decisions he didn't like.

Let me read from the front page of the Washington Post this morning. This is the Washington Post story, not my words:

> Cantor thinks the way to win this haggling session—one of Washington's most important in years—is by walking out of it.

I will repeat that from the Washington Post front page:

> Cantor thinks the way to win this haggling session—one of Washington's most important in years—is by walking out of it.

Leader CANTOR cannot repeat that maneuver again this time. We are too close to the debt limit deadline, and there is no margin for error.

This is crunch time. The clock is ticking. If we don't reach an agreement in the next few weeks, we risk roiling the financial markets, and our Nation's fragile economy will suffer a serious setback. Middle-class families will see their mortgage rates and credit card rates go up. Even a technical default—the failure to pay interest on our debt for just a few days—will cause the GDP to contract and jobs to be lost, in all likelihood. It doesn't just affect the government. It is not just something far away. It affects every family with a variable rate mortgage or credit card debt. That is why it is time for my GOP colleagues to jettison their ideological blinders and get down to pragmatic problem-solving that will allow us to avoid default and its aftermath.

We have had debt ceiling renewals on our desks for decades. No one has ever played brinkmanship like this. No one has ever said our Nation will not live up to its obligations—this great Nation, which always has, from the days of the Founding Fathers and Alexander Hamilton.

On this side of the aisle, we are working in good faith to reach a deal. Over the past few months, we have worked diligently to identify more than $1 trillion in spending cuts, many of which are just as painful to our caucus as taking away tax breaks to millionaires are to the caucus on the other side. It can't be just one way. We have put these difficult cuts on the table because, on this side of the aisle, we recognize our deficit is unprecedented and bold comprehensive action needs to be taken.

Let me say this: A budget agreement cannot be considered bold and comprehensive unless it asks millionaires, billionaires, and wealthy corporations to contribute to deficit reduction. They don't have to do the whole thing, but they have to do their share. That is why we want to repeal tax breaks that serve no purpose whatsoever, other than to bloat our budget deficit. We want to make sure that at this time of fiscal restraint there is shared sacrifice.

Let's face it, middle-class Americans and working-class Americans depend on government programs in ways the wealthy do not. If you are a millionaire or billionaire, you don't need Pell grants to send your kids to college. You don't need to go to a community health clinic to have your teeth examined when they ache. You don't have the high cost of prescription drugs to be a barrier to you, and you don't need help to pay them.

If we are going to scale back vital spending programs, which go right to the core of middle-class, hard-working American families, we must also scale back special interest tax breaks that benefit only the wealthiest few, such as tax breaks for yachters and corporate jet owners.

I wish to make something clear. I have nothing against those who have made a lot of money. I think that is great. I think that is America. I know lots of people like that. Most of the ones I know say: Yes, I should pay my fair share. But somehow there is a small group that seems to feel they should not pay almost any taxes. Those people are running the show on the other side of the aisle.

If we are going to bequeath the American dream to future generations and ensure that the American dream continues to burn brightly in the American breast, then we need to institute some shared sacrifice.

In normal times, this would be a consensus, middle-of-the road position. It is a position Ronald Reagan took. It is a position George H.W. Bush took. As David Brooks and other commonsense Republicans have noted, Republican Presidents and leaders have long supported coupling increased revenue with spending cuts to reduce deficits.

But today's GOP has, unfortunately and sadly, been dragged so far to the right by its ideological fringe that they now reject this balanced approach out of hand. They would sooner end Medicare as we know it than ask millionaires and billionaires to pay a little more in taxes. That is the nub of it. They would sooner end Medicare as we know it than ask millionaires and billionaires to pay a little more in taxes.

How many Americans agree with that? Certainly, our political system, for all its faults, at the end of the day has truth at the bottom of it. This position will not help my colleagues on the other side of the aisle. When either party moves too far to the extreme—Republicans too far to the right or Democrats too far to the left—they ultimately lose. That is what is happening to the Grand Old Party in this Chamber.

More than 40 Republicans, unfortunately—40 in the House—have vowed to vote against any increase in the debt limit no matter how much deficit reduction accompanies it. I am not aware of a single Democrat who has drawn such a dangerous, Draconian line in the sand. Remember, it is not future spending you are voting against. You are voting against paying your bills, paying your debt. Every American family has to do it. Every American worker has to do it. To say the government should not do it is unprecedented.

I urge my colleagues on the other side of the aisle to reevaluate their position. It is time for Republican leaders to do some much needed soul searching. Are they willing to risk an economic cataclysm to mollify an extreme wing of their party and score political points against the President? Do they want us to be remembered in the history books as the first generation of Americans to renege on our obligations? Will they put their country before party, come to the bargaining table, and forge a bipartisan path forward?

Similar to most Americans, I am a natural optimist. Sure, I don't have much evidence on which to base my optimism, when Republicans walk out on negotiations time after time when they don't get their way. But I nevertheless possess an innate belief that at the end of the day, we will do what is best for our country and our economy; we will raise the debt limit, pass a far-reaching deficit reduction package that includes both spending cuts and repeal of tax breaks for the richest few among us. As the President recently put it—and he was, whether intentionally or not, quoting a great thinker from ancient Babylon—''If not now, when?''

Let us hope we arrive at an agreement soon. Time is, unfortunately, not on our side.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

## ETHANOL

Ms. KLOBUCHAR. Madam President, I am here to talk about the recent bipartisan compromise on biofuels. I have come to the floor a number of times to talk about this country's biofuels policy.

In the last month, I have worked on a bipartisan basis with Senator FEINSTEIN of California and Senator THUNE of South Dakota to develop a compromise agreement that represents a good-faith effort to improve our energy policy under very difficult economic times.

At a time of bitter budget debates and entrenched positions, we worked together to find common ground and we took a step in the right direction and that is a step of reducing the debt immediately by $1.3 billion of the $2 billion remaining on the subsidy. I will add that this is a subsidy this Congress voted for just in January of this year. The biofuels industry understands this subsidy was going to end at the end of this year, but they didn't just let it whittle away toward the end every year, knowing there was waning support for it; they came to the table and said let's see if we can do something good for energy policy and for this country's fiscal position.

Under this deal, the Volumetric Ethanol Excise Tax Credit will expire at the end of the month, instead of the end of 2011, as scheduled.

I have continued to say this debate is not about whether we end this tax credit; it is about how we do it. This compromise agreement represents a responsible and cost-effective approach to reforming our Nation's biofuels policy.

First, this compromise dedicates $1.3 billion or two-thirds of the remaining ethanol subsidies in savings toward deficit reduction. It goes right into the coffers of the government to reduce the debt. At a time when our country is struggling with increasing debt and partisan bickering, the compromise represents a step forward. Two-thirds of the money goes toward the debt.

What happens to the rest of the money? Normally, it would be going into that tax credit—$400 million every month—for the rest of this year. Instead, we take that existing $668 million—the other third—and use it to extend and expand support for the production of cellulosic biofuels. As the occupant of the chair knows, coming from New Hampshire, we have a lot of cellulosic biofuels in the Midwest, but it is something you can see all over the country. It is a commitment to a new generation of fuel—algae, biofuels, switchgrass, you name it.

There are a lot of possibilities here when you look at what could be the next generation of cellulosic ethanol. In fact, many of the first advanced biofuels plants are expected to be retrofitted onto existing corn-based ethanol facilities, providing additional benefits to rural communities.

This compromise also extends the small-producer tax credit for 1 year at a reduced rate. This tax credit benefits smaller ethanol plants, which were some of the earliest pioneers in the industry and often structured as farmer co-ops. Again, this is not new money. The money is ending, under our plan, as of July 31 for the tax credit. It simply takes one-third of the existing money and uses it in a smart way so that Congress won't have to spend any new money on very important areas, such as cellulosic biofuels. This extension helps provide small ethanol plants located in rural communities a glidepath to adjust to the elimination of the Volumetric Ethanol Excise Tax Credit.

Lastly, the compromise invests in the infrastructure we need to bring greater competition to the fuel market. This means extending tax credits—the existing money—to help gas stations install a variety of fuel-dispensing technologies, including ethanol, hydrogen, natural gas, and electric charging stations.

So let me again repeat that this is not just about biofuels, it is about all kinds of alternative energy that competes with oil. We should encourage our homegrown fuels to compete with foreign oil, and this investment will help do just that and give consumers a real choice at the pump. I have always believed we should be investing in the farmers and workers of our country instead of the oil cartels in the Mideastern countries.

The ethanol industry should be commended for coming to the table to offer over $1 billion in savings during these difficult budget discussions. I think this is most significant for some of the discussions Senator SCHUMER was having and we have all been having about the debt. This compromise, while it may be $1 billion instead of $1 trillion, is an example of what we can do if we are really serious about reducing our debt. It is a model for what can happen to reduce government subsidies going forward.

Take for example the oil industry. Traditional ethanol is a maturing market providing only about 10 percent of America's fuel supply—10 percent of the fuel supply. We are now at the point where we are making more biofuels than we import oil from Saudi Arabia. That is pretty significant, but we are still only 10 percent with biofuels.

How about oil? Well, the rest is oil. The oil industry has been a mature industry and collected subsidies for nearly 100 years. Americans have shouldered these costs for too long. The oil companies no longer need these tax breaks, and we simply can't afford them when we look at the debt we are facing.

The list of the oil production tax deductions includes the domestic manufacturing tax deduction for oil production, costing $18.2 billion over 10 years; the expensing of intangible drilling, costing $12.5 billion to taxpayers over 10 years; the percentage depletion allowance, costing $11.2 billion over 10 years; and the dual-capacity rule for foreign tax credits, costing $10.8 billion to taxpayers over 10 years.

The question isn't about whether the oil companies deserve the profits; it is a question about whether the American people should pay the cost of providing preferential tax treatment for the five largest oil companies in the United States, which have racked up almost $1 trillion in profits in just the past decade. That is the issue. When we are dealing with this debt, when we are dealing with a debt where middle-class families are paying multiple amounts every single year—multiple dollars in interest on our debt—should they also be asked to foot the bill to pay for these subsidies to oil companies when these oil companies have made almost $1 trillion in profits in the past decade? That is the issue. It is a question about whether the mature oil industry should continue to receive billions in subsidies at a time when their profits are up 30 percent in the first quarter of 2011.

I am not against drilling at all. I am pleased about what is going on in North Dakota, right to our west. But when I look at what is happening with this debt right now, we have to be smart, and this is clearly one place to look for savings. It is a question about whether a hugely profitable industry should continue to enjoy lucrative tax advantages at a time when our Nation can least afford it. With oil prices much higher than actual costs, the oil industry doesn't need extra money from the government.

We must get serious about tackling the deficit and putting our country back on sound fiscal ground. The problem we are facing now is not only a crisis of dollars and cents, it is also a crisis of the divide and the deadlock. It is time to open the deadlock. We did it with biofuels. We came forward with a compromise with Senator FEINSTEIN, who has spent her lifetime in the Senate fighting against ethanol. Senator THUNE and I came together on a bipartisan basis and got it done. We did it—two-thirds of their immediate subsidy going to debt reduction.

We know this deficit isn't going to fix itself.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Ms. KLOBUCHAR. I ask unanimous consent to speak for 1 more minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. KLOBUCHAR. We all know this debt isn't just going to go away. We all know we can't just close our eyes and click our heels and wish our debts away.

In their report, the National Commission on Fiscal Responsibility and Reform wrote that ''every modest sacrifice we refuse to make today only forces far greater sacrifices of hope and opportunity upon the next generation.'' And they are right. A relatively small industry such as ethanol is willing to put two-thirds of its tax breaks on the table for deficit reduction immediately. The much larger and much more profitable oil industry can certainly afford to do the same, if not more.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

## BUDGET NEGOTIATIONS

Mr. SESSIONS. Madam President, I ask unanimous consent to enter into a colloquy with my Republican colleagues.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I thank Senator KLOBUCHAR. She is a valuable Member of the Senate, and she mentioned some savings or additional revenue from tax increases—some were $10 billion, one was $8 billion, and I think one was $3 billion. I would just say that over 10 years, that is how much those changes would raise.

I would recall for all my colleagues that we unwisely spent $847 billion on a stimulus package that produced little income, and we are paying interest on that of about $27 billion to $30 billion a year. It adds up as the years go by, every year, just the interest on that one single expenditure.

We have now gone 804 days without a budget in this body. During that time, this country has spent $7.3 trillion. That is $7,300 billion. We have paid in interest on the money we have borrowed $439 billion just in that period of time we haven't had a budget. Interest on our debt is $439 billion in 804 days. And we have accumulated, during this time, an additional $3.2 trillion in debt. During the past 2 years, under the super Democratic majority here in the Senate and in the House—60 Democratic Senators and the President's leadership—the discretionary non-defense spending went up 24 percent, and the President proposes in his budget next year to increase the Education Department, the State Department, the Energy Department, and the Transportation Department double-digit increases again, when this year 40 cents of every dollar we spend is borrowed.

I am glad my colleagues can be with me now. I see Senator JOHNSON is here. He is a member of the Budget Committee. We had more people want to get on the Budget Committee this year, the new Senators who were recently elected. Senator JOHNSON was one of the few to be selected. And they hope to make a difference and to confront the problems we face.

Senator JOHNSON is a successful businessman. He just joined the Senate last year. How has the Senator felt to date about the process?

Mr. JOHNSON of Wisconsin. I appreciate the kind words. My background is in accounting, and I have been in business for 34 years. I have produced budgets for people on time. I have had people produce budgets for me on time. I look at the process—or the lack of a process here as absurd. Think about it. I have certainly produced budgets for smaller businesses—let's say a $10 million company. They would go through an awful lot of detail to draw up a budget. Talk about a little bit larger business, maybe a $1 billion-per-year business. There would be a lot of people involved, a lot of detail, and all that information filters up to the top. Then you come here to Washington and you see business as usual. I just want to make sure the American people understand how absurd this process is, the fact we haven't passed a budget in the Senate in over 2 years.

We now have the President—at least he has finally gotten engaged this last week. They are meeting behind closed doors. Is it really true they are going to produce a budget over the course of a couple of meetings—a budget for the Federal Government that would be $3.7 trillion, $3,700 billion worth—and they are going to do this behind closed doors, just a couple of people? That is an absurd process.

The fact is, I am glad the President finally acknowledged Medicare is unsustainable. That is a sad fact. I wish it weren't so, but the first step, of course, in any process of being healed is to acknowledge that you have a problem. So I am glad the President finally acknowledged Medicare is unsustainable. But if he was really serious about structural reform, if he was really coming to the table in good faith, he would have come to the table 6 months ago. He would have been sitting down in good faith with Republican Senators, Republican Members of Congress, who understand how urgent the problem is, who want to work with this President, who want to work with anyone who is willing to seriously address the fact that we are bankrupting this Nation.

So, again, I find this process absurd. And I would ask the American people to please think about what is happening here. Rather than an orderly process, rather than a process being conducted in the light of day, we are doing it behind closed doors, and there will be something dropped, I am afraid, in our laps with no time to review it—another of these bills nobody has time to read. And that is what the financial fate of America rests on? I don't think so. It should not be that way.

Mr. WICKER. I wonder if my friend would yield on the matter of the process.

Mr. JOHNSON of Wisconsin. Absolutely. The floor is the Senator's.

Mr. WICKER. Of course, the process is important, and it is designed for the President and the Congress to work together to solve these problems. I think the process may be broken, which I think points up why we really, bottom line, need a constitutional amendment to require the President to submit a balanced budget and to require this Congress to enact a balanced budget.

You know, the President submitted a budget to us with deficits as far as the eye could see. The budget was brought to a vote under sort of an interesting procedure here, and it didn't get one single vote. Not one Republican, not one Democrat would vote for President Obama's budget.

We hear rumblings that the Democratic chairman of the Senate Budget Committee may actually be about to bring a budget forward. It has been 800 days. We passed the 800-day mark last week. The chairman of the Budget Committee and the process have failed to work to actually bring a budget out to the floor, out from behind closed doors, as my friend from Wisconsin had said, and let us vote on all of these procedures.

So I would simply say the President's budget was a nonstarter. I think if the Senate Democratic version ever were to be devised and brought to the floor, it would be a nonstarter, which is why we haven't seen such a proposal in 800 days.

Bottom line: Republicans are united on this side in resisting tax increases on our economy at a time when we are at 9.2 percent unemployment, and we are united—all 47 of us—in saying we need a basic change in the process in this country of enacting a balanced budget amendment and sending that amendment out to the States for ratification. That would be the type of process reform I think the American people agree we need.

Mr. SESSIONS. Madam President, I ask my colleague, Senator LEE from Utah who just joined us, his late father was Solicitor General of the United States and law school dean, and we are glad that Senator LEE has put a lot of effort in drafting a constitutional amendment, the good lawyer that he is, that would make a difference for our country.

Maybe the Senator would share his thoughts about his observations as a new Senator on how things are going and why he believes a constitutional amendment, as Senator WICKER from Mississippi said, would be helpful for our country and help put us on a sound path for the future.

Mr. LEE. Madam President, the need has never been greater for us to avoid gimmicks. Gimmickry in this context can have very high stakes and can prove most detrimental to our economy and to the ability of our government to function.

We have to look out for those gimmicks that would say we are going to make a few cuts now, but most of the cuts we are going to propose in return for our ability to raise the debt limit will involve sacrifices by future Congresses, not the 112th Congress. We will just make a few. But we will say that the 113th and the 114th and successive Congresses after will make the difficult necessary sacrifices.

We can't do that. Nothing allows us to bind a future Congress. That is why we need something that is gimmick free. That is why we need to amend our laws of laws, our U.S. Constitution, to place important, meaningful, permanent restrictions on the ability of Congress to engage in perpetual reckless deficit spending of the sort that has produced a national debt now fast approaching $15 trillion, to a degree that is escalating now at a rate in excess of $1.5 trillion every single year.

In order to rid the problem, we have to change the root causes. We have to change the ability of the Congress to exercise its authority that it has so severely abused in recent decades under clause 2 of article I, section 8 to engage in deficit spending. A balanced budget amendment, the balanced budget amendment that has been endorsed and embraced and cosponsored by all 47 Republicans in the Senate will do that. We have a growing number of Republicans, a couple dozen, who have now gotten behind the one proposal that would allow us to approach the debt limit with this in mind, and would require the balanced budget amendment to be part of that, and I urge my colleagues to support that.

Mr. SESSIONS. I thank Senator LEE for his leadership and hard work on that. It is not an easy thing to draft something that people would all agree with, but I think all the Republicans have signed on to that, and we are happy for that, and I believe this is not an impossible dream.

When I came to the Senate in 1997, we had a vote on the balanced budget amendment. It fell one vote short. We got 66; it required 67. How much better off would we have been today, how much less debt would we have placed on our children and grandchildren had that amendment been passed then? I do think it is time for a national discussion again on this issue and to make that change, and would wish to point out something about the debt we now have.

The unemployment rate came in disappointingly with only 18,000 jobs created last month, in June. We look to have 150,000 just to stay level. Unemployment went up. Economic growth in the first quarter was expected to be much higher than it came in. I think the first number was 1.8. Maybe it has been revised to 2 percent.

The Rogoff-Reinhart study has studied debt defaults in countries all over the world for eight centuries, a highly respected study. Secretary Geithner, the Treasury Secretary, said it is an excellent study and in some ways it underestimates the risk.

This study says when your debt reaches 90 percent of the economy, 90 percent of the gross domestic product, it pulls down economic growth by 1 percent to 2 percent. We are now at 95 percent debt to GDP. We will be at 100 percent of debt to GDP by the end of this year.

I believe our growth could have been 3 percent instead of 2 percent the first quarter. And 1 percent growth, according to Obama White House's economic adviser Christina Romer amounts to 1 million jobs created. So I believe we have lost 1 million jobs that could have been created, we have lost additional tax revenue and growth and prosperity that would help us deal with our debt because of the debt. You see, you can't keep borrowing.

Maybe when we get our GDP was 30 percent—maybe that is what it was when Senator WICKER probably came to Congress and now we are at 100 percent. Our debt is as large as the entire productivity of our economy, and economists tell us it is pulling down our growth and it is costing jobs. Americans are not working today because of debt, and what we hear is, Don't worry about it; debts don't matter.

Senator WICKER has been here in the House and in the Senate. Has the Senator seen the situation in which our financial crisis, short term and long term, systemically is more severe than it is today?

Mr. WICKER. Well, I guess I got to the House in 1995; my friend from Alabama came to the Senate 2 years later.

I don't think we could have imagined an annual deficit of $1.5 trillion in 1 short year. We are spending that much more than we are taking in. In other words, we take in $2.2 trillion a year, approximately, and we spend $3.7 trillion a year, a difference of $1.5 trillion. I don't think we ever expected it to get that serious when the Senator from Alabama and I first got here.

Clearly there is no way we can turn back the clock, but the Senator is correct. If we had enacted with just one more vote in this very body a constitutional amendment to balance the budget, clearly we would not be facing this fiscal crisis.

I want to also make a very important point, and it is what all of the papers are talking about, and that is whether somehow a tax increase targeted to deficit reduction is the thing to do.

Listen, my friends, Republicans and Democrats over time until recently have been united in saying tax increases are a bad thing to do. I want to ask my colleagues if they can help identify the public official who said this quote:

> The last thing you want to do is to raise taxes in the middle of a recession, because that would take more demand out of the economy and put businesses in a further hole.

Would any of my colleagues care to guess? Senator LEE?

Mr. LEE. That was President Obama in the middle of 2009 who made that comment.

Mr. WICKER. Absolutely. Somehow the President, who made a very cogent and correct statement in 2009, has completely changed his tune now.

We could have a budget deal in place on the floor of the House and Senate and ready to be passed if the President of the United States would simply come back to the position he took in 2009 and 2010. As late as December of 2010, the President was telling the New York Daily News we should keep the tax rates in place. The budget chairman in the Senate told Reuters last July, only 1 year ago, that he supported extending the tax cuts and keeping them in place, because to raise taxes on the private sector during a time of economic downturn is taking money out of the private sector and killing its ability to create jobs.

I would simply call on my colleagues from the other side of the aisle to return to the position they had 1 year ago and 2 years ago. Let's get a budget deal that addresses the debt by cutting spending and be united as we were on that issue some 1 year and 2 years ago.

Mr. SESSIONS. Senator JOHNSON, as I recognized, is a businessman. President Clinton recently said we need to reduce our corporate tax rate. I was on a TV show with Senator BILL NELSON, my good Democratic colleague, who said we ought to reduce some of these tax expenditures, as some call them. My understanding was we could use that to help get our rates down so we are more competitive worldwide and create more jobs.

I guess my question is, if you simplify the Tax Code and you eliminate gimmicks, should the money be applied, as President Clinton suggested, to reducing our rates so we are more competitive or should they be used to subsidize more spending by Washington?

Mr. JOHNSON of Wisconsin. Well, obviously it makes more sense to actually use them to make us more competitive so that global capital actually flows to the United States to create jobs here.

I am a long-term job producer. I certainly recognize it is the private sector that creates long-term self-sustaining jobs. I am afraid that is what our colleagues on the other side of the aisle and President Obama simply don't understand.

I am often asked, Are you surprised by anything in Washington? I will tell you one thing I am not surprised about is that their solution is increasing taxes. Let's face it, we just undertook a $4 trillion experiment in Keynsian economics. We are down more than 2 million jobs since that grand experience began when President Obama became elected. It doesn't work. And now for the Democrats and President Obama proposing $1 trillion, $2 trillion or, as was pointed out, as much as $2.8 trillion in new taxes? What is that? That is actually taking money out of the private sector where real jobs are created. That would be the wrong direction. That would be a big mistake. That is why the Republicans are united in saying increasing taxes at any time, particularly in a weak economy, is the wrong prescription.

Getting our debt and deficit and spending under control, a balanced budget amendment is the solution. It can actually be enacted very quickly. We don't have to face the crisis that President Obama and the Treasury Secretary are trying to whip up here.

Mr. SESSIONS. I would say that I do believe we are at a national crisis with our debt. I believe it endangers the Nation, because Erskine Bowles, who chaired the Debt Commission appointed by President Obama, has told us that we are facing an economic crisis as a result of the debt in written testimony to the Budget Committee, and he warned that we have to change our course. I certainly believe that is true; and I believe the Rogoff and Reinhart study, affirmed by Secretary Geithner, is correct, that it is already pulling down our growth. I am worried about the future of our country.

Maybe Senator LEE will wrap up for us. He just finished a campaign, talking to hundreds of thousands of people in his State. What is the Senator's perception of what we need to be doing at this point in time?

Mr. LEE. The American people expect us to stop burying our children and our grandchildren under a mountain of debt, to stop spending money we don't have, particularly when we are spending about 40 cents out of every dollar that is borrowed, much of that being borrowed from foreign sovereign governments such as China.

Obviously there are times when as a country we have needed to do this, when our circumstances have required it. The reason Congress was given this power to begin with is to make sure that, particularly in a time of war, Congress had the means at its disposal to provide for our national defense and to provide for other immediate emergent needs.

But this practice of what I refer to as perpetual deficit spending has become not just something we do on an emergency basis, not just something we do in a time of war or other kind of unusual circumstance; it has become something we do as a matter of course to keep things moving, to keep business as usual operating in Washington to the point where we are accumulating over $1.5 trillion a year in new debt.

Our constituents in every single State expect more and they deserve better. The reason for this has everything to do with the fact that this unites people along every point along the political spectrum. Whether you are a conservative and you care about the deficit because you want to protect our national defense system or because you care deeply about our economy or whether you are a liberal and you care about the deficit because you are concerned about what this will do to our entitlement programs, all of those things stand in grave jeopardy as a result of this practice of spending, this practice that will result in the U.S. Government having to spend a lot more money every single year to pay interest on the national debt, interest that doesn't benefit anyone, interest that crowds out private investment and kills jobs. That is what voters in my State and every State are concerned about.

Mr. SESSIONS. I thank the Senator. Madam President, I would cite that the interest factor my colleague mentioned is very real.

This year we are expected to pay $240 billion in interest. How much is that? That is just a number. The amount of money that we spend under the Federal Highway Program is $40 billion. The amount of money we spend on Federal aid to education is $100 billion. This year we are paying $240 billion.

However, under the budget that was submitted to the Congress by the President—the Democratic Senate has never brought one forward on their own—that budget added $13 trillion more to the debt, and the Congressional Budget Office, our nonpartisan accountants, has calculated what the interest payment would be in the 10th year of that 10-year budget. It has concluded the interest payment that year would be $940 billion. That is larger than Medicare, it is larger than Medicaid, it is larger than Social Security, it is larger than the defense budget. These numbers are incredibly large and we cannot—as a gentleman told me at a townhall meeting—borrow our way out of debt. We cannot keep spending. It is dragging down our economic growth right now. It is costing jobs right now.

There are some people who say we do not have enough jobs; we need to spend more. Where are we going to get that money? Borrow that money. We are already borrowing 40 cents of every dollar we spend. Can we afford to borrow more to try to get a sugar high, keep growth artificially growing now? I think we just have to be mature, grownup, and realize we are going to have to work our way out of this fix.

We can do it if we create stability and soundness in our economy. If we do this right we can create a system in which we can have growth. Our business community is hanging in there. They are doing pretty well. They are holding up, but we have to create jobs. We have to have more job growth and more growth in the entire economy. That is what we need.

I do believe the debt is a weight on us. It is a burden that is reducing growth, and we must have that to pull our way out of this crisis. I am glad to see the President has joined in the discussions, but I have to say I think he has moved from the budget he submitted just a few months ago, which was the most irresponsible budget ever submitted to Congress calling for more taxes, more spending, and more debt. In other words, over the period of 10 years his budget laid out that taxes would go up, the spending would go up more than the taxes, and the deficit would go up more than the current path we are on. It made it worse.

We cannot do that. When that budget was brought to the floor—I brought it to the floor—and we got a vote, it failed 97 to 0.

I am glad the President is working now. Together we have to somehow develop a strategy to put us on a course so all Americans and the business community in our country and the world financial community will say: Boy, the United States is getting their act together. They are making the right decisions. They are on a sound course now. Maybe that is where we need to put our money instead of some other place because they are on the right path. Right now it is very dangerous.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

## DAUNTING CHALLENGE

Mr. DURBIN. Mr. President, I have been participating in the White House meetings with President Obama and the leaders of the House and Senate from both Democratic and Republican Parties for the last several days discussing the deadline we face of August 2, where we are required to extend the debt ceiling of the United States and the larger question about what we will do with our Nation's deficit and debt. It is a daunting challenge but one with a sense of immediacy. Most people across America would just react intuitively and say: Please, no more debt. They wonder why we want to extend the debt ceiling. It is a part of our government and part of our economy that needs at least a little bit of explanation.

Imagine that you have decided to purchase a home and you have a mortgage. To stay in your home and enjoy it, you have to make your monthly mortgage payment. When the time comes, if you do not make your monthly mortgage payment, you run the risk of being pushed out of your home, evicted, foreclosed. That is what we face on August 2, in a different form. If we fail to extend the debt ceiling, we are, in fact, missing our mortgage payment, and it creates problems. The credit rating of the United States of America will suffer as the credit rating of any family would suffer if they did not make a mortgage payment. The likelihood that the United States could borrow more money soon without higher interest rates is diminished. In fact, we would face higher interest rates—our government would—if we did not extend our debt ceiling. That is not the only problem. Higher interest rates for our government mean more taxes have to be paid by our citizens to finance our debt, and interest rates across America will go up as well. So average citizens and families who had nothing to say with this extension of the debt ceiling are going to face higher interest rates when it comes to purchases that they might make for cars and homes and appliances. It would be the height of irresponsibility not to extend the debt ceiling.

Since 1939, I was told this morning, we have consistently, time after time, extended the debt ceiling of America without fail. We have never defaulted. We have never called into question the full faith and credit of the United States. We have never jeopardized our credit rating in the world by failing to meet this responsibility, and we cannot do it now. With an unemployment rate of 9.2 percent, with an economy still recovering very slowly, we cannot run the risk of creating more unemployment and hurting businesses with higher interest rates, and so we have to do it.

At the same time, though, we are embarking on an important, strategic national discussion about our deficit and debt. I don't know whether I am fortunate or unfortunate. For the past year and a half I have been engaged in this conversation in a much more focused way than at any time in my career. I was appointed to be a member of President Obama's deficit commission. There are 18 of us, and I have stayed on to work with 5 of my colleagues, 2 Democratic Senators and 3 Republican Senators, to see if we can come up with a bipartisan approach to deal with a very difficult problem.

Let me give a few facts and a little history that puts it in perspective. Today, for every dollar our government spends in America, we borrow 40 cents. I just left the meeting of the Chinese-American Interparliamentary Union where members of the Chinese Parliament are just a few steps away. China is our No. 1 creditor in the world. China loans more money to the United States, buys more of our debt, than any other Nation. That is worrisome because China, though it is our largest creditor, is also our largest competitor.

Go to your local Big Box store and flip the product over and see where the product is made. Time and time again they are made in China. So this country that is financing our debt is also competing with American producers and workers. It is not a healthy situation. The more dependent we are on these countries to finance our debt, the weaker our economy. So reducing the amount of money we borrow is in our economic best interest, and it lessens the chance that our children and grandchildren will have to pay off the debts we incur.

What is the status of the debt in America? It is about $14.5 trillion, but it has not been at that level before, and it has not been at that level for a long time. It is likely to go up. Just to give a perspective on it, 10 years ago—just 10 years ago—the national debt of America was $5 trillion. Now it is $14.5 trillion. Mr. President, $5 trillion. It was the end of the Clinton Presidency, and as President Clinton left office we had 3 straight years of Federal budget surplus. We were bringing in more revenue than we were spending. It was healthy because the excess we collected we put into programs such as Social Security to make sure they would be there for years and years to come. President Clinton, as he left office with a $5 trillion national debt, which was the debt accumulated across the history of America, and surpluses coming in each year, said to the incoming President, George W. Bush: Next year's budget is going to generate another surplus, $120 billion. Welcome to Washington.

President Bush became President, and now fast-forward 8 years later. What happened? The $5 trillion national debt during the Bush administration grew to almost $11 trillion. It more than doubled in an 8-year period of time. Instead of leaving President Obama a surplus, President Bush said: Next year's budget is going to have a $1.2 trillion deficit. Mr. President, a $1.2 trillion deficit. So the President faced the largest single annual deficit as he came to office, President Obama, and a national debt that had more than doubled in the previous 8 years. How does one double the national debt of America in 8 years?

From George Washington until the end of President Clinton, the net national debt of America was $5 trillion. How did it more than double in 8 years? Here is how: You wage two wars in Iraq and Afghanistan and you don't pay for them. You add them to the national debt. Then you do something that no President has ever done in the history of the United States, in the middle of a war, with annual deficits: you cut taxes. It is counterintuitive. You are taking revenue away from the government when it needs it to pay for a war and to continue the functions of government. So there were unpaid-for wars and tax cuts primarily for the wealthy people in America, followed by programs that were not paid for. Put those three together and build into it an economic theory that if we just keep cutting taxes on high-income individuals, America will get well. The theory fails, and the debt of America doubles in 8 years. That is what happened. It is a fact. It went to $10.5 trillion from $5 trillion in just 8 years, and we know what we have gone through since. People are out of work, folks are struggling to get by, and businesses are struggling. That is a reality of where we are.

So when we come together to talk about dealing with this debt, it is a painful topic, and it affects every single American. Here is what we found on the Bowles-Simpson Commission: Any serious conversation about reducing America's debt requires cutting spending and raising revenue. If we do not do those two things, it will not work. What do we cut? Well, almost everything. We take a look across the board at all Federal spending, whether it is discretionary spending for domestic purposes or for defense purposes. We take a look at the entitlement programs, programs such as Medicare, Medicaid, veterans, agriculture, and we see where we can save money there. And we look at revenue. Where can we come up with revenue that will not hurt the economic recovery but will help us bring our debt under control? The deficit commission came to that conclusion, other Senators have come to that conclusion, and now we are debating it again with the President on a daily basis in the White House.

This morning my colleagues from the Republican side of the aisle came with their solution—at least one of their solutions. It is not a new idea. In fact, it is an idea that has been around a long time. It is called a balanced budget constitutional amendment. We first saw the move for a balanced budget constitutional amendment in modern times during President Reagan's Presidency. It was interesting.

President Reagan increased the debt limit of the United States more than any other President. He ran up the highest deficits of any President in history before him and had this push on to amend the Constitution. It is ironic that at the same time members of his party were spending the money and plunging us in debt, they said the answer was to change the Constitution—not change their conduct, not change the way they managed the government, but change the Constitution. It is like saying: I will not tell you I am going to stop stealing, but I will tell you I will vote for the Ten Commandments. It doesn't work.

We have it within our power, as Members of the Senate and the House, to change the way we spend money in Washington. To say we are going to wait for a constitutional amendment to get it done is to submit it to the States and let them see if three-fourths of the States agree we should amend the Constitution. How long does that take to amend the Constitution? The last amendment to the Constitution took 203 years before all the States—three-fourths of them—got around to ratifying it. Some of them take much shorter periods of time, but there is no guarantee when the States will get around to doing this if they agree with amending the Constitution.

So I ask my friends on the Republican side of the aisle: Instead of focussing on the Constitution, why don't you focus on the here and now, the authority we have as elected Senators and Members of the House to do something, not to give speeches and preach about changing our Constitution.

I have to tell you, when it comes to this Constitution, I don't address it with fear but with humility. This is a document which is revered not only in the United States but around the world. To say that, well, we are just going to change the Constitution to deal with today's problems, I am skeptical and I am reluctant and I am humbled by the fact that those words have created the greatest, strongest democracy on Earth.

Before we start changing the words of that Constitution, I always say: Is there another way to do it? The answer is, yes; clearly there is. Instead of speeches on the floor of the Senate about constitutional amendments, why don't we have speeches on the floor talking about the bipartisan deficit commission and what we can do about our debt? Why don't we honestly come together and say everything has to be on the table—everything? All spending programs, all entitlement programs, all taxes have to be on the table, and let's take an honest look at how we can address them and make this economy strong and moving forward. That is what we face.

We have had a bad track record from some Members on the other side of the aisle who give speeches about constitutional amendments but don't stick around for the hard choices. We had a chance to put a bill together into a law that would have made a vote of Congress mandatory on bringing the budget deficit down dramatically. Seven Republican Senators who were cosponsors of that bill when it came to the floor voted against it and defeated it. They walked away from it. We have had conversations here where Senators have come together and tried to work out our differences on deficits and come up with a plan. In one group I have been part of, one of the Republican Senators walked away from it, and it basically was put on hold because of that.

Vice President BIDEN was given the authority to sit down in a bipartisan conversation and come up with an approach to the deficit and the Republican House majority leader walked away and said, I am not going to participate. This last week, President Obama was working directly with the Republican House Speaker, trying to come up with a plan over the weekend and the House Speaker said, I am walking away from it.

So the Republican Party has become the ''walk away, Renee'' party when it comes to this deficit. We have to keep them in the room. They have to stop theorizing about constitutional amendments down the road months and years from now and deal with the here and now. The reality is we need to extend our debt limit, we need to deal with our deficit in an honest way, and we need to put everything—underline everything—on the table. That is painful on our side of the aisle when it comes to entitlement programs and it is painful on their side of the aisle when it comes to taxing those in higher income categories. But until we reach that point, this conversation is going to continue to lead to more debt, more money being borrowed from China, and an economy that is not going to get back on its feet.

I think we can do this in a responsible fashion. I hope we can have a bipartisan approach to it. It is the only way it will work. With a Republican House and a Democratic Senate, we need a bipartisan approach. We will be returning this afternoon with the President to deal with this, to work on approaches to it, and I hope we can get something done in a positive fashion.

This morning Senator MCCONNELL said some interesting things I wish to address. Senator MCCONNELL is the Senate Republican leader. He implied that this debate should be fairly easy. I wish he were right. He said the Republicans have been the party that has brought an open mind to these discussions. Well, I don't think that is a fact that can be proven based on what I said earlier.

He said:

> The suggestion has been made that this debate was hinged on the question of whether or not the two parties could find a solution to our economic problems without raising taxes. Wrong. We could have done that without breaking a sweat.

He added:

> It's no secret how to solve the entitlement crisis either. Any one of the people involved

in these discussions could write it out on the back of an envelope.

Perhaps that is part of the challenge here. I know the Republican approach to Medicare is much different than the Democratic approach. The House Republican budget would have dramatically changed Medicare as we know it. It would have doubled the out-of-pocket expenditures of senior citizens. It would have put the Medicare Program in the hands of private health insurance companies. Unfortunately, it would have put many seniors in their sixties, seventies, and eighties at the tender mercies of health insurance adjusters. That is not a good approach to health care for our seniors.

The challenges we face are not easy, they are not cosmetic, and they can't be solved by letting the market—meaning insurance companies—run Medicare.

In these negotiations, I believe many Democrats, myself included, are willing to sit down and talk about reductions in government spending. Even though I believe in my heart of hearts our economy needs a stimulus at this point and reducing spending may be exactly the wrong thing to do, I am still prepared to sit at the table and find a consensus if we can when it comes to spending cuts.

But we shouldn't make this economic challenge be subject to dramatically changing the benefits under Social Security and Medicare and Medicaid. These programs are critical for families across America. Some of them have watched their savings disappear, their pension plans evaporate in a bankruptcy court, and they count on Social Security. We have to be there to make sure Social Security will be there for them.

Senator MCCONNELL also wants the Senate and the American people to think Republicans are negotiating in good faith and the Democrats are not. He said:

We showed a willingness to sacrifice all along even as we made it crystal clear from the outset that tax increases would not be a part of the agreement.

So I have to ask Senator MCCONNELL: What is it the Republicans are willing to sacrifice in this debate? He went on to say:

There can be no question by anyone involved in these discussions that Republicans are willing to make tough choices.

Again, which tough choices? Right now we are at a stalemate in our conversations with the President because the Republicans have been unable to come up with an approach that will meet the needs of deficit reduction.

So we need to work together. Both sides need to be willing to make these tough choices and face these challenges. Unless and until we do this on a bipartisan basis, we will not be serving the people who elected us.

It struck me as I sat in that room the other night—the Cabinet Room with the President—what a rare honor it is for me and for every one of us in that room to be there, to be entrusted with this responsibility for this great Nation of over 300 million people who are counting on us to do something historic and maybe politically bold. I am prepared to do that. I hope others are as well. I think if we approach it on a bipartisan basis, with both sides willing to give, with everything on the table, we can solve this, and we should do it as quickly as possible.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1323, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1323) to express the sense of the Senate on shared sacrifice and in resolving the budget deficit.

Pending:

Reid amendment No. 529, to change the enactment date.

Reid amendment No. 530 (to amendment No. 529), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid amendment No. 531, of a perfecting nature.

Reid amendment No. 532 (to the instructions (amendment No. 531) of the motion to commit), of a perfecting nature.

Reid amendment No. 533 (to amendment No. 532), of a perfecting nature.

Mr. DURBIN. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, let us be very clear that in terms of the deficit-reduction package that is being debated, we are talking about an issue of huge consequence not only for people today but for our kids and our grandchildren. This is likely, from a domestic perspective, the most important issue any Member of the Senate or the House will ever vote on in his or her political career. This is a huge deal which in many ways will shape the future of America.

I know the media refers to the discussion as whether we are going to have a big deal of $4 trillion or whether we are going to have a smaller deal of $2 trillion, but the real issue is whether we are going to have a fair deal—a deficit-reduction package that represents the interests of working people and the vast majority of our people or whether we are going to have a deficit-reduction package that ends up reflecting the needs of the wealthiest people in this country, who are doing phenomenally well, and the largest corporations, which in many instances are making recordbreaking profits. That is really what the debate is about.

The Republican position on deficit reduction has been extremely clear and is consistent with their rightwing ideology. Despite the fact that our current deficit crisis has been caused by two wars—unpaid for—huge tax breaks that have gone to the wealthiest people in this country, and a recession caused by the deregulation of Wall Street and the lack of revenue coming in as a result of that recession, our Republican friends are adamant that while the richest people in this country are becoming much richer, while today we have the most unequal distribution of income and wealth of any major country, where the top 400 individuals own more wealth than the bottom 150 million Americans—that gap between the very rich and everybody else is growing wider—our Republican friends say the deficit must be balanced on the backs of working families, the elderly, the sick, and the children. No, the very rich, the top 1 percent, who now earn more income than the bottom 50 percent, should not be asked to contribute one penny more.

The Republicans are very clear, despite the fact that corporate profits are soaring, that corporation after corporation is enjoying huge tax loopholes that enable them to make billions of dollars a year in profits and not pay one penny in taxes. Republicans say: Sorry, off the table. Large, profitable corporations, with CEOs making millions a year, don't have to contribute to deficit reduction. Only the children have to contribute, the elderly have to contribute, and only working families, the unemployed, and the sick have to contribute to deficit reduction. We have to balance the budget on the backs of those people. But if you are very rich and getting richer, if you are a profitable corporation, that is off the table. You don't have to contribute a nickel.

Poll after poll shows that the Republican position and their ideology is way out of touch with what the American people need or want. This is not BERNIE SANDERS talking; this is the American people talking. In poll after poll, when the American people are asked, ''What is your preferred option in terms of deficit reduction?'' they say it is to ask the wealthy to pay more in taxes. So when our Republican friends say the American people don't want to raise taxes on the wealthy, that is just not true.

To my mind, what the Republicans are proposing is immoral in terms of coming down heavy on the most vulnerable people in our society, people who are already hurting as a result of the recession. When real unemployment is 15 percent, what do you want to take out of those people? They do not have any job. We have the highest rate of childhood poverty in the industrialized world—21 percent of our kids living in poverty. They want to cut them even more? We have hunger among senior citizens in this country going up. They want to take away their nutrition programs? Not only is that immoral, to my mind, it is bad economics because you don't get the economy moving until working people have some money to go out and buy the goods and services that companies are selling.

To my mind, where the Republicans are coming from on this issue is way out in right field and way out of touch with where the American people believe we should go. But having said that, I have to say I am very confused as to where President Obama is coming from on this issue. And maybe I speak here as an Independent—not a Republican, not a Democrat, but the longest serving Independent in American congressional history—but I think I speak for the vast majority of the American people on this issue. Where is President Obama on this issue? We know where the Republicans are coming from. But suddenly, out of nowhere, President Obama tells us that Social Security cuts have got to be placed on the table.

Where does this come from? The President understands that Social Security hasn't contributed one nickel to our deficit. In fact, Social Security has a $2.6 trillion surplus today and can pay out every benefit owed to every eligible American for the next 25 years. Social Security is funded by the payroll tax, not by the U.S. Treasury. The President understands that. Yet the President has now put on the table significant cuts in Social Security as well as Medicare, as well as Medicaid, despite his knowledge and his previous statements that cuts in these programs would be devastating to ordinary Americans.

The President of the United States, Barack Obama, in recent statements has talked about the growth of political cynicism in this country and has argued the American people are sick and tired of politicians who refuse to tackle big issues. There is truth to what he is saying. But there is also a bigger truth, and that is the American people are sick and tired and dismayed about candidates who run for office saying one thing, and then, after they are elected, doing something very different.

In that regard, let me mention that when candidate Barack Obama ran for office he told the American people over and over he was going to fight to protect the needs of ordinary Americans, and the elderly and the sick and the children. Among many other promises he made during his tough campaign against Senator MCCAIN, he said he was not going to cut Social Security benefits. That is what he said over and over.

Let me quote then-Senator Barack Obama and what he told the AARP on September 6, 2008:

> John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost-of-living adjustments or raise the retirement age. Let me be clear: I will not do either.

That was Barack Obama in September 2008. So, Mr. President, when you ask why the American people are frustrated with politicians, why they are increasingly cynical, it has a lot to do with candidates who say one thing and do another. If you told the American people you are not going to cut Social Security, then don't cut Social Security. Keep your word.

In case people think: Well, these proposed cuts are not significant; they are trifling, let me quote from a document from Social Security Works, a coalition of many organizations that is doing a great job defending Social Security. And when President Obama and others are talking about cutting Social Security, one of the approaches they are looking at is changing how we do COLAs—how we do CPIs. So this is from that document by Social Security Works:

> The Congressional Budget Office estimates the adoption of the so-called ''Chained-CPI,''—

Which is what I believe the President is talking about.

> which would be used to determine Social Security's annual COLA under this proposal, would cut benefits by $112 billion over 10 years. The Social Security Administration's Chief Actuary estimates the effects of this change would be that beneficiaries who retire at age 65 and receive average benefits would get $560 less a year at age 75.

Let me repeat that. They would receive $560 less a year at age 75. That may not seem like a lot of money to some folks around here, but when you are trying to get by at the age of 75—when you have all kinds of medical bills and you have all kinds of prescription drug costs and you are trying to eat, and maybe you are getting $14,000 a year in Social Security—$560 a year is a lot of money.

But then it gets worse. Because what the Social Security Administration estimates is that at 85—and more and more people, thank God, are living to 85, people who are very fragile at age 85—people would see cuts of about $1,000 a year. So the longer you live, the more your cuts.

Is that what we are about in America now? We don't ask billionaires to pay any more in taxes, but we tell somebody who is 85 years of age, living on $14,000 a year, they would get $1,000 less than otherwise because we have adopted this so-called chained CPI that I gather the President is pushing.

I think the issue is very clear, and that is that the Senate, this Congress, have got to stand with the overwhelming majority of the American people who understand that the solution to this deficit crisis requires shared sacrifice. Yes, we have to take a look at waste and fraud and bureaucracy at every agency of government. No one disputes that. Yes, we have to take a hard look at military spending, which has tripled since 1997. And yes, maybe we have to bring the troops home from Iraq and Afghanistan sooner than many here wish, or that the President wishes, and save substantial sums as we do that. But most certainly, if we are going to go forward with shared sacrifice, yes, we do have to ask billionaires, who—despite all their power and all their campaign contributions and all of their lobbying—are doing phenomenally well, to contribute to deficit reduction. And yes, maybe those companies that stash their money in tax havens in Bermuda and the Cayman Islands in order to avoid taxes to this country—$100 billion a year—will have to start paying their fair share.

On my Web site, which is sanders.senate.gov, I put a letter which said: Mr. President, stand tall, take on these rightwing idealogs who want to make devastating cuts to working families. In a couple of weeks, we have had 135,000 signatures on that letter. I think that letter reflects what the American people want. They want shared sacrifice. They do not want to see the elderly, the kids, or working families being battered more and more, especially in the midst of this recession.

I would say to President Obama: Do not assume—do not assume—because you work and reach an agreement that everybody here is going to support that agreement. The American people demand fairness, they demand shared sacrifice, and some of us intend to bring that about.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I ask unanimous consent to speak for up to 7 minutes. I don't believe I will need all of that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Massachusetts. Mr. President, I always enjoy listening to my New England colleague speak. The rightwing rhetoric stuff, though, doesn't work for me when people of good will on both sides of the aisle are trying to solve these problems.

We are working on a sense of the Senate here today, and I am rising to speak about my own sense of the Senate. It is an amendment I filed to this bill we are on addressing a key commonsense idea. It is very simple: Don't raise taxes on small businesses, period. But especially don't raise taxes at a time when unemployment is over 9 percent and there is meager job growth throughout the country. Quite frankly, it has stalled out. We can't afford more of the failed economic policies we have been experiencing. Frankly, I can't believe increasing the tax burden on small businesses is even on the radar screen here in Washington. It makes no sense to me. I want to do the opposite. I think we should respond to these terrible unemployment numbers with a progrowth idea such as a payroll tax deduction for businesses that hire workers. Let's do something constructive, something that adds incentives to actually get our economic engine moving again, especially with the businesses that do it best, which are small businesses.

The idea we would raise taxes right now on small businesses is the very definition of being out of touch with the people back home who actually work for a living and who create jobs for others. As I travel back to Massachusetts—and I do that virtually every weekend—I meet with constituents, and I think I have had over 230 or 240 meetings since I have been elected. The biggest question I am always faced with is: What is going on in Washington? Why do you guys always throw a wet blanket over us, with overregulation, overtaxation, creating a lack of stability and certainty? It is not something that is making a lot of sense back home.

When I hear from small business people back in Massachusetts, they are worried they can't hire more workers. We need to actually create confidence in our small businesses so they will put people back to work. Instead, we are terrifying them with these tax proposals and a lot of the rhetoric they are hearing here today. They do not know what is coming down. They do not know what is next. People up here listening have no clue what is next. What are we in Washington going to do next that will throw that wet blanket on things? Yet we expect them to hire a new employee? It is not going to happen.

In particular, there have been recent calls from some on the other side of the aisle to repeal the LIFO—last in, first out—accounting method, and applying it retroactively, without even reducing the corporate tax rate or doing anything to soften the blow on small businesses. That would be disastrous on those who depend on the current system. As the Presiding Officer knows, our corporate tax rate is already the second highest in the world. If Japan lowers theirs, ours will be the highest. And it is often the small local companies that get punished the most. Yet some here in Washington want to tax small businesses more. I don't get it; I am sorry.

Despite these many challenges, in the past decade this country has seen the creation of more than 300,000 small businesses—companies with 500 employees or less. These small firms and the founders who started them took risks during a time many large companies had been downsizing. As a member of the Small Business Committee, I hear testimony regularly from many of our business leaders expressing the difficulties of the current environment, and I believe we absolutely need to do everything in our power to protect small businesses from the heavy hand of government—the overregulation, the lack of certainty and stability, the potential overtaxation.

In Massachusetts and throughout this great country, small businesses, and especially manufacturers, have been the key to our economic recovery. They are the economic engines in Massachusetts and the rest of the country. They are the lifeblood of our economy. They range from mom-and-pop stores to some of the country's most cutting-edge, high-tech startup companies. How can we tax these job-creating small businesses and then stand on the Senate floor and speak about how awful it is that unemployment is at an all-time high, cloaking it in the language of rhetoric of ''millionaires and billionaires, and corporate jets.'' We all know, even if we do the things we talk about, it doesn't get us close to solving or dealing with the problems.

It is outrageous and, quite frankly, the American people can see right through it. We should be doing better. So I filed the amendment today to say that I, for one, will not support more burdens on small businesses. They already face enough problems and challenges.

The current unemployment numbers that we are all seeing from States across the country should serve as a wake-up call that people are still hurting. They need some relief. They want to do their best, but they are being stifled. That wet blanket is hurting them and stopping them from creating jobs. It should be our No. 1 priority, and I hope it will get the attention and support of every one of my colleagues.

If you care about the survival of your State's small businesses, stop proposing increasing the taxes, increasing regulatory burdens, creating that wet blanket and killing off the incentive to actually go out and hire.

Mr. President, I thank you for your courtesy in the beginning, and I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

## SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—Continued

Mr. KIRK. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

### VETERANS AFFAIRS AND MILITARY CONSTRUCTION APPROPRIATIONS

Mr. KIRK. Mr. President, I urge Members of this body to support cloture on taking up the debate on the veterans and military affairs appropriations bill for next fiscal year. Chairman JOHNSON and I have put together a completely bipartisan bill which was unanimously supported by Republicans and Democrats in the Senate Appropriations Committee. This bill basically marked its spending level to the level approved by the House of Representatives, that passed the subcommittee, the full committee, and out on the House floor. The bottom line for its budget authority discretionary spending is the bill comes in $1.2 billion below the President's spending request, $620 million below last year's enacted level, and is even $2.6 million below the House. There are no earmarks in this bill.

A few details. The bill does provide $128 billion to support our over 22 million veterans. That is $182 million in budget authority discretionary below the administration's request.

The bill provides $13.7 billion for military construction. That is about $1 billion below the administration's request or $279 million below the House bill.

Our Senate bill cuts or eliminates 24 separate projects, and all of those cut decisions were made in coordination with Chairman LEVIN and Ranking Member MCCAIN from the draft Senate Armed Services Committee bill so that appropriations and authorization are synched up. We also completely denied funding for the building of a new facility to house the current Court of Appeals for Veterans Claims.

The bill also lays the policy groundwork for making further spending reductions in outyears for Obama administration potential requests for funding in South Korea, Germany, and Bahrain.

In short, we believe that this bill should move forward, that the Appropriations Committee should begin its regular work, and because this is a unanimous, bipartisan product from the Senate appropriations bill and it marks to the House level, I urge Members to support cloture on a vote we expect tomorrow morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to talk about the pending business: the deficit of this country and the looming debt ceiling limit that will be exceeded in August if we don't take any action in the Congress.

First, let me talk a little bit about the debt ceiling. There has been a lot of talk about the debt ceiling as to what is responsible for Congress to do.

We all know that over the last 50 years or so, the debt ceiling has been increased over 80 times. It is done after the fact. That means we have already incurred the liability, and the question is whether we will pay our bills.

The decisions we have to make in regard to our fiscal policies need to be made at the time we consider the budget, but now we have to pay our bills, and raising the debt ceiling is not only a legal responsibility that we have to pay our bills, it is also a moral responsibility and speaks to whether we are willing to live up to our obligations.

The failure to raise the debt ceiling would be irresponsible. It would jeopardize our national security because it would cost taxpayers more money, and it would say to the world that U.S. bonds, which are the safest in the world, are called into question. I think we all should agree we need to make sure we increase the debt ceiling in time so we do not cause those adverse effects to our Nation.

The debt ceiling debate gives us an opportunity to do something about the deficit. Our deficit is not sustainable. By that, I mean if we do not change course, our debt will be too large as a percentage of our economy to be sustainable. We need to deal with spending and we need to deal with revenue and bring them into balance.

The discussions on the debt ceiling could be the opportunity for us to develop a credible plan to manage our deficit, and I certainly hope that is the case, that we come together with a credible plan to manage our deficit. I hope it will be bipartisan, that Democrats and Republicans will work together on a plan. It would not be exactly what either side wants. In fact, we will both have to make compromises. If we do that, if we have a credible plan, I believe it will stimulate our economy and clearly help us create more jobs, which is the best we can do to help reduce our deficit.

To start, we have to understand how we got to this point. Ten years ago, we had surpluses. Ten short years ago, we had surpluses. We were concerned that we might be retiring all of our privately held debt. I was proud to have been part of the Congress that voted on the legislation that brought our deficits down and gave us a surplus and one of the longest periods of economic growth in America's history.

Then, during the previous administration which inherited that large surplus, policies were brought forward to cut taxes, not once but twice. Many of those tax cuts went to our wealthiest people. The United States went to war in two countries and borrowed money in order to pursue those wars—I think the first time in modern history the United States went to war and asked the people to sacrifice by cutting taxes. The end result was large deficits, and when Barack Obama became President, he had huge deficits, unlike George W. Bush, who had huge surpluses. When George W. Bush took the oath of office for the Presidency, our economy was growing jobs. When Barack Obama became President of the United States, we were losing 750,000 jobs a month.

That is the current situation. The situation we face today is we have these deficits we have to deal with. How do we deal with them? We need a balanced approach.

I must tell you that I am proud Senator CONRAD, on behalf of the Democrats on the Budget Committee, has come forward with a credible plan that preserves the priorities of this country to grow and does bring our deficit under control. I am proud to be a member of the Budget Committee. Working with Senator CONRAD, working with my Democratic colleagues, we put together the plan Senator CONRAD spoke about on the floor earlier this week.

First, the most important aspect of Senator CONRAD's budget is that it brings down the deficit by $4 trillion over the next 10 years. It actually has more deficit reduction than the House-passed so-called Ryan plan that the Republicans in the House sent over to us. The Conrad plan that the Senate Democrats have come up with will bring about more deficit reduction and substantially more deficit reduction than the Bowles-Simpson commission had recommended because we are using more accurate numbers.

It would stabilize the debt by 2014. That is a very important point. I think what we are all trying to do is manage our deficit and at the same time help our economy. That is what the Conrad budget does. It stabilizes the debts by 2014, and it starts with reducing domestic spending. When we look at spending generally and what has happened, we are now spending about 24.1 percent of our GDP. The Conrad budget over 10 years would bring that down to 22.1 percent—a substantial reduction in our spending programs. Let me tell you, 22.1 percent would be the same amount of government spending as we were spending during the Reagan Presidency. This is not any radical approach to saying we are going to spend a lot more money. Instead, we are bringing spending down to the level it was when Ronald Reagan was President of the United States.

The budget would also deal with our obligations for mandatory spending. We took major steps to do that in the last Congress. The passage of the affordable care act helped us to put forward a blueprint to manage our health care costs as a nation by providing universal coverage, by investing in health information technology, by investing in wellness programs, by investing in reducing readmissions to hospitals—the list goes on and on. We are getting a handle on health care costs. The CBO says to us that the bill we passed in the last Congress would reduce Federal spending by over $1 trillion over the next 20 years. By reducing health care costs, we reduce Medicare and Medicaid future responsibilities. So we have already taken some steps.

The Conrad budget that the Democrats in the Senate have brought forward will build on that to bring about additional savings in domestic spending. But the important thing about the budget Senator CONRAD has brought forward as compared to the Ryan budget, the Republican budget that passed the House, is that the Conrad budget invests in America's future because it is balanced. We invest in what is important for job growth in America. We continue to make education a top priority so American families can afford to send their children to college, so we invest in improving educational opportunities for all people in our Nation.

The Conrad budget allows us to invest so America can continue to lead the world in innovation. That has been where we have created so many jobs. In my own State of Maryland, I look at where the job growth is, and I see small innovative companies developing ways to protect our Nation in cyber security, I see them finding ways to solve our energy problems, moving forward with health technology—all in innovation, all from the ability to use our creative genius to keep America in the lead economically.

The Conrad budget allows us to continue our investments in NIH in basic research. The Ryan budget does not allow us to do that. There are significant cutbacks in all those areas.

The Conrad budget, which the House and Senate Democrats have brought forward, allows us to invest in our infrastructure—our roads, our bridges, our water systems, our transit systems—so that America can truly be competitive in the future, creating more jobs for the people in this Nation.

The budget also deals with our military spending. Let me tell you one fact that I think the people of this Nation should understand. America spends as much on defense as almost the entire amount spent by all the other nations of the world. It is difficult to see how our Nation can continue to grow the way we want to with so much of our budget tied up in national defense. We need to figure out a better way and one where we can save money. Between 1997 and 2011, the defense budget of our country grew from $254 billion a year to $688 billion a year. What does the Republican budget do? They just increase those numbers dramatically over the next year, 5 years, 10 years. The Democratic proposal recognizes the reality that we can bring our combat troops home from Afghanistan, that we can expect the international community to do more, and we can bring about savings on the military side.

Let me talk about the last major component of the Conrad budget and how it differs substantially from the Ryan budget; that is, the area of revenues. I know there has been a lot of discussion about revenues. What does the Democratic budget do in this regard? It takes our revenues to 19.5 percent of our gross domestic product. That is the same amount that was raised during the Clinton Presidency when we had unprecedented prosperity and job growth in America. How do we get there? How do we get the revenues we need in order to be able to bring this debt under control? Senator CONRAD has given us some direction on how we can do that. He has pointed out that shelters and loopholes need to be closed. These are inefficiencies in our Tax Code today.

I have taken the floor on two occasions recently to talk about some that I think we should eliminate. One is the ethanol subsidy. We had a vote on the floor of the Senate, and the majority of Senators voted in favor of eliminating the ethanol subsidy. Why? Because it is not needed. Ethanol sales are not dependent upon a Federal tax break. Second, it is causing a disruption in the agricultural community. I pointed out that the poultry industry in Maryland suffers from the high price of corn, costing us jobs. Eliminating the ethanol subsidies is a win-win situation. Why not take that money and use it for deficit reduction?

I also pointed out the major gas companies in this country are receiving subsidies from the taxpayers. Their profits in the first 3 months of this year were $34 billion. They certainly don't need the help from the taxpayers. The taxpayers have already given them too much in the price of gasoline at the pump, which has hurt our economy except for the profits of the gasoline companies. So there are tax loopholes, and there are shelters that could be closed that amount to a substantial amount of Federal expenditure. And, yes, the highest income taxpayers, the millionaires and billionaires, is it reasonable or right or fair to expect that they should continue to get these lower tax rates that were temporarily extended under the Bush administration indefinitely when we are trying to figure out ways in which we could bring the budget into balance?

Senator CONRAD has made it very clear that there would be no change from the current tax rates for those families who have $1 million of income or less. I think that is a pretty generous commitment about not changing tax rates, particularly during these economic times.

Let's compare the budgets. The Republican budget, the Ryan budget, says: Look, all the savings are going to come out of the spending side and, in fact, we are going to have some additional tax cuts—asking middle-income families to pay more while our wealthiest enjoy even more tax breaks.

The Democratic budget, submitted by Senator CONRAD, says: We are going to be balanced. Mr. President, 50 percent of our deficit reduction is on the revenue side, but that includes reducing tax expenditures, tax spending. We spend money in the Tax Code, $1.4 trillion a year. I don't understand the difference if we are spending more on housing on the Tax Code or spending money on housing on the appropriations bill. Both should be subject to the same type of scrutiny.

So why aren't we using a similar standard? Well, we have a chance to do that in the Conrad budget—50 percent from revenues, including tax spending, 50 percent from the direct spending cuts. That is a balanced approach. That is a credible approach. It is an approach that will protect our most vulnerable. Our students are protected to make sure we continue our commitment to education and to the cost of higher education through the Pell grants. Our seniors are protected in that we do not do what the Ryan budget would do with Medicare and Medicaid.

Let me remind you, the budget the Republicans passed in the House would change Medicare fundamentally, changing it from a program that guarantees benefits to our seniors to a program where seniors would get a voucher and have to go out and buy from a private insurance company and be at the whim of private insurance companies for adequate protection against their health care needs. It is estimated their health care costs would grow when fully implemented by $6,000 a year. The seniors of Maryland cannot afford an extra $6,000 a year. That will be the difference between an individual getting adequate health care or not.

The Conrad budget rejects that type of radical change in our Medicare system. The Ryan budget would require the block-granting of Medicaid to our States. Our States are already burdened. The chances of them being able to maintain their commitment to young people who depend on the Medicaid system, our seniors who depend upon it for long-term care, is very remote. The Conrad budget protects those programs to make sure we live up to our commitments to provide adequate protection to our families and seniors.

Social Security is protected in the Conrad budget because Social Security didn't cause the deficit. Social Security should be considered outside the budget debates, and I think more and more of the Members are now coming to that conclusion.

Let me mention one other point I think is very important about the Democratic budget that Senator CONRAD has brought forward. It recognizes our Federal workforce. I know my colleague is particularly concerned about that representing the State of Virginia. I am particularly concerned about that representing the people of Maryland. We have a lot of dedicated Federal workers who have devoted their careers to helping this Nation by protecting our Nation in their service in homeland security or protecting us in regards to how they deal with health services or how they deal with our veterans. These are dedicated people, and they have already contributed to this deficit reduction. Two-year pay freezes have already been implemented. They have already done their share in helping us bring our budget into balance. The Conrad budget, I am proud to say, says that is enough. Let's not jeopardize our Federal workforce by reducing their compensation package in addition to the freezes. It shows we can do it that way.

Take a look at the Ryan budget that the Republicans have sent over. It contains major reductions in the compensation packages going forward for our Federal workforce. There is a better way. The better way is the Conrad budget.

Quite frankly, we have a choice. We have a choice on whether we are going to move forward and how we are going to move forward. I strongly support a credible plan to deal with the deficit. As I said, we need to get our deficit under control, but we can do it in a way that preserves opportunities for all Americans, creates job opportunities that are desperately needed for our Nation, and protects America's most vulnerable. To me, that is maintaining America's future. That is giving us the best hope so our children and grandchildren will enjoy the opportunities of this great Nation, and that should be the guiding force for our work.

I certainly hope my colleagues will work together so we can come together for the future of this Nation.

With that, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. BLUNT. Madam President, conversations continue today about exactly how we are going to meet the financial obligations our country faces. A fundamental question on hand seems to be do we borrow more and spend more or do we make the serious decisions that will get our Nation back on sound financial footing.

Today, our national debt stands at over $14 trillion. Unemployment continues to rise, with more than 14 million Americans out of work now, and the government continues to spend more money than it collects, or that I believe it should collect.

As the cochairs of the President's own fiscal commission have warned, if we fail to take swift action, the United States faces, according to them, the most predictable economic crisis in history. A quote attributed to many people, including my fellow Missourian Mark Twain, would be that it is hard to make predictions, especially when you are talking about the future. But the easiest to predict is demographics. If you know how many people are here now and have all the other demographic information you need, you should be able to figure out what the population is going to look like.

As the population gets older, our programs for seniors will cost more. At his news conference yesterday, President Obama was asked about Social Security reform. He said, in a statement that I didn't quite understand, that Social Security is not the source of our deficit problem. Then he went on to say that the reason we do Social Security in the debt ceiling plan is to strengthen Social Security, to make sure benefits are there for the seniors in the outyears.

I agree totally. This is the time to deal with Social Security—particularly the time to deal with it if you are going to deal with Social Security in a way that doesn't impact anyone who is retired or who is approaching retirement. The President went on to say the Republicans want to talk about Social Security as part of a broader deal because it is politically difficult to vote on.

I actually think a lot of Democrats and Republicans want to talk about Social Security because we know now is the right time to save it. If you are going to save it for future generations, you have to start sooner rather than later.

Our colleague, Senator BAUCUS, chairman of the Finance Committee, said during a hearing in May on deficit reduction and Social Security:

> Addressing our deficits and debt is an economic issue, a national security issue, and a moral issue.

He went on to say:

> We have a moral obligation to leave this place better than we found it.

I agree with his quote. If we are going to leave Social Security better than we found it, we have to begin to work on it right now. Each year, Social Security costs are higher. This year, they are going to be 3.6 percent higher than last year. That is a 1-year increase—3.6 percent in 1 year. The workers-to-beneficiary ratio—and we know how Social Security works, with people paying in who largely fund the money going out today. The people paying in in 2035 will be 2.1 for every person working.

In the current system, there is no way the pages on the floor today are going to be able to pay half of whatever the average recipient gets. But that is what you would have to do if we don't change the system.

We have to deal with the deficit facing Social Security. I think we need to deal with that now, whether it is politically difficult or not; otherwise, there won't be a Social Security Program that works for the people who are paying in today. Social Security no longer collects what it spends. We have a $45 billion deficit, or a shortfall, in 2011, and the truth is that we are still cashing in the IOUs to Social Security, and we will do that as long as they are there, but eventually those IOUs will run out as well.

Over the next 10 years, it is projected that we will spend $447 billion more than comes into the Social Security trust fund. According to this year's Medicare and Social Security trustees report, Social Security is now operating under permanent annual deficit for as long as they can calculate. Permanent annual deficits won't work, so what would work?

Today, I want to discuss a plan to put Social Security on a path that means our children and grandchildren can have confidence that the contributions that come out of their hard-earned paychecks will result in benefits when they retire. Ask people you know at work who are in their twenties and thirties if they expect to collect Social Security benefits. Just under 26 percent of voters under 40 believe it is even somewhat likely they will receive all their promised Social Security benefits—26 percent believe it is somewhat likely—not absolute but somewhat likely.

And just to give you an idea, 15 percent of people believe Social Security will be fine if it is not reformed—15 percent—while 20 percent of people polled believe aliens exist and live among us. So the number of people who believe aliens exist and live among us is higher than the number of people who believe Social Security will be fine if it is not reformed.

The last time the Senate and the House made comprehensive changes in Social Security was 1983. Well, it is time to do it again. It is time to do it again, and we can make changes in the program that will not affect those who are approaching retirement, though that will be always the charge: They are going to take Social Security from retirees. Well, this is a plan that talks about people who are 55 and younger and no change for anybody who is 55 or older today.

So if you are 55 or older, and you hear the discussion about this plan, it has nothing to do with you. It will not affect your Social Security. So that is the first point. The second point is we would need to look at a new cost-of-living index that is based on the costs that seniors have. The third point is that we need a new distribution formula. If we do those three things, we will have a solvent system for at least seven decades.

In the next 70 years, somebody can look at this to come up with a plan to be sure it goes beyond then. But seven decades is about as far as we can safely predict anything. This would protect the life of Social Security for at least that long as a solvent system.

Most seniors live on a fixed income, and they feel it when their utility bills go up, their health care costs go up, or when their food prices go up. The current cost-of-living adjustment, the so-called COLA formula—calculated by the Bureau of Labor Statistics, known as the CPI or the Consumer Price Index—tracks purchases by working-age individuals. Frankly, what working-age individuals buy may be quite different from what seniors spend their money on, or at least how most seniors spend their money. Many economists believe this causes the CPI to misrepresent the inflation that impacts seniors, and seniors deserve better.

For example, the rising cost of education and childcare are heavily weighted in the current formula. These costs don't often have the same impact on seniors as they do on the working-age population or the younger population. But health care costs and utility bills, as an example, have more impact on seniors and on the budget of seniors than they do on the working-age population.

My plan directs the Bureau of Labor Statistics to develop a more accurate method of calculating COLAs for Social Security recipients. It would move to a chain-weighted CPI that accounts for the purchasing habits of individuals—not of all ages—who are over 65, and health care costs would account for a much larger portion of seniors' spending in this type of index. What seniors spend their money on is what we would be looking at instead of what everybody who is in the working-age population spends their money on.

This plan will eliminate the program's long-term funding shortfall and ensure payments for the next 70 to 75 years. As does the President's fiscal commission, my plan would account for the increase in life expectancy and would call for an increase in the normal retirement age.

Now, remember, primarily these are for retirees who don't believe they are going to benefit from the system anyhow. Most of the people we are talking about who will be impacted don't think the system is going to be there for them. We are trying to ensure it will be. Over time, the retirement age changes to 65 years. That is 1 year younger than the proposal of the President's commission, but I think it is an age that works, and it looks like it is working as we look through these numbers. This means the retirement age will rise slowly for future retirees—3 months for each year from 2022 to 2030. Nobody would be impacted at all until 2022. The person who was going to retire in 2022 would retire 3 months later, and that would be added on every year until 2030. Likewise, the plan would change early retirement benefits from 62 to 64 beginning in 2022. So it only, again, impacts people who get to that age in 2022.

Our current benefit structure is simply not sustainable, and that is why my plan would also modify the current benefit structure to ensure that seniors who earn at or below the 40th percentile receive exactly the same amount of retirement benefits as they would if the program continued exactly as it is today, and a new index slightly reduces benefits that would occur above the 40th percentile.

Wealthier future seniors can plan for their retirement years through personal savings, through retirement plans, through alternative investments, through IRAs, or through employer-sponsored plans. But those who are not in that category would continue to get exactly the same benefit when they retire they would get at today's retirement age.

So back to President Obama's comments yesterday. Let's look at a plan that does the following, President Obama: Let's look at a plan that has no higher rate of contributions, no means test for Social Security recipients, no tax on future beneficiaries but slightly lower benefits and a slightly longer time to work until retirement. The difference is, if you work until retirement, you actually get a benefit.

This is no longer a topic we can avoid, so let's not miss this opportunity. Let's make a promise right now—while we are dealing, hopefully, with big issues—to workers paying the bill today that Social Security will be there for them when they retire.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. I rise today to talk about the significant financial challenges our Nation faces.

It will come as a surprise to no one that the topic of greatest concern is jobs, jobs in partnership with how we manage our deficit and our debt so as to put America on a firm financial footing down the road, put American families back on a firm financial footing.

My mailbox is full from families who have a lot of concerns about the Republican plan for cutting programs that serve working Americans. It is a host of programs that are affected, but I pulled a couple letters to bring with me.

One is Linda writing from Canby, OR. She is a parent of a disabled young adult. She writes:

My daughter, Nicole, has cerebral palsy and other medical issues. She is dependent on my husband and I for her total 24/7 care. Medicaid is essential because it helps her with medical and dental needs and her mobility. If Medicaid is cut or reduced, many of the disabled will be forced to live in nursing homes or institutions, which as we both know would not be cost effective. Please vote against cuts to our Medicaid system.

Trudy from Keizer, OR, writes a very similar letter about her grandson diagnosed with Asperger's.

The mail goes on and on from citizens who are working-class Americans, have fundamental jobs, often with modest to no health care. They have children and they have grandchildren who will be profoundly affected by the choices we make on health care, the choices we make on education, and the choices we make in terms of creating jobs here in America. So this debate has enormous import for the success of our families, and in the context of that importance, we need to understand how we got to the point we are right now. So let's start with a 10-year view of what has happened. These statistics might come as a surprise to many of you because they are a little bit out of synch with some of the rhetoric we hear on the floor of the Senate.

Over the last 10 years, from 2001 to 2011, we have had a revenue decrease of 18 percent. So revenue has decreased by nearly one-fifth.

On nondefense spending, you will see no bar here either negative or positive; the change has been zero over a 10-year period, zero change. Those are the programs that affect working America, programs that affect unemployment, programs that affect food support, nutritional support, Head Start Programs, health care programs, and training programs so that people can get better jobs.

Then over here we have defense spending up 74 percent. Well, that is interesting because these three bars tell the story of decisions made during the 8 years of the George W. Bush administration.

Over here on revenue, we have breaks that were granted to the best off in our society and that have been fought for vigorously—the extension of those breaks—by some of my colleagues across the aisle. Breaks for the best off and revenues down over that 10-year period.

Over here we have the fact that decisions were made for two wars not funded by the American people. That is an anomaly in our history. When we go to war, we raise the funds to pay for it, but not during the irresponsible 8 years of the George W. Bush administration.

So it is not a surprise that we now have a deficit problem and that we now have a debt problem because concrete decisions were made. And these are only part of the story. The rest of the story is that deregulation of mortgages, leading to a vast tsunami of predatory mortgages on working Americans turned into securities that poisoned financial houses throughout the United States and, for that matter, throughout the globe, also contributed to blowing up the economy and driving down the revenue.

So concrete decisions from those 8 years have placed us where we are.

How do we address this shortfall? Well, let's start by looking at how the Republican budget has been laid out with three principal points. The first is to end Medicare as we know it. Well, this plan to create a voucher system in lieu of Medicare is one that, frankly, terrifies every senior citizen in America and every citizen who knows they will be a senior citizen, who knows they have been paying for years into a program with administrative costs that are far more efficient than the general insurance market. But the goal of the Republican plan is to dismantle that efficiency and throw people into the highly inefficient private insurance markets with a voucher that does not rise proportionately with health care costs. I don't think destroying the very successful program to provide Medicare and health care for our seniors is where we should be going. The second part of the plan is to do roughly $4 trillion in cuts to programs for working Americans. The third is to protect all of the programs for the best off in our society, the benefits for the best off.

I think most citizens understand that when we come to a time of national challenge financially, everyone should participate. There shouldn't be the sacred cows for the very best off while the workers are asked to pick up even more of the burden. In fact, let's take a look at a chart that displays how this functions.

The average tax rate in America is 20.7 percent. Let's take the richest 400 in America. The top 400, their average tax rate is 18 percent. Now, why do the richest 400 get the lowest tax rates? That is what Americans have a right to know. Why is it that the Republican plan is asking to cut programs for working America while protecting the bonus benefits for the best off in our society?

These richest 400 earn over $270 million per year—not collectively; that is their average income. Well, wouldn't all of us love to be in a situation where we earn even a fraction of $270 million a year.

And that structure, while reflected here for the top 400, is really a structure for the best off of a high array—a 5- to 10-percent array of the best earners in America.

So those three points—end Medicare as we know it, replaced with a voucher program, cut programs for working Americans, and protect programs for the best off—that is the Republican plan.

The chair of the Senate Budget Committee came to the floor this week with a very different plan, and that plan has the same savings the Republican plan has. Let's take a look at that.

Under this plan, the budget framework includes the same amount of deficit reduction as the House Republican plan—in fact, actually a little bit more reduction: $4 trillion versus $3.9 trillion. So both plans get towards the same objective of fiscal responsibility, but they go about it in very different ways.

First, the Conrad plan tosses away the Republican plan to end Medicare as we know it.

The second thing it does is it puts all spending programs on the table. So let's turn to that piece of the structure. Here we have the Republican plan, and it is all in direct spending cuts, touching none of the programs for the best off that have been carefully embedded in the Tax Code.

Now, every American understands this game: You can fund a project with a $10,000 grant or you can give a $10,000 tax credit that is in the Tax Code or you can give a tax deduction that is worth $10,000, also in the Tax Code—three different ways of accomplishing the very same objective. But the Republican plan is to say: Wait. Let's only do the first of those three strategies because the second and third strategy we have utilized to create the programs for the best off in America, and we don't want to touch those. We want to place this burden on working Americans.

Well, the Conrad plan says: That is not right. There needs to be a conversation about fairness. We know those best off pay the lowest tax rates compared to working Americans, as I just showed in that previous chart—just 18 percent. So the Conrad plan says: Let's take 50 percent of that effort to close the deficit and do it in direct spending, and let's take 50 percent by closing tax loopholes, cutting tax subsidies, cutting tax earmarks, and promoting fairness.

I came to the floor last week to talk about the bluegrass boondoggle. Now, that is not a lot of money in terms of the overall challenge we face as America—$120 million over 10 years—but to a working American $120 million is a lot.

That was a special provision inserted not for companies but for the owners. It was to the individual Tax Code for the richest Americans, millionaires and billionaires who own thoroughbreds. They get a special break the rest of America doesn't get. There is program after program such as that, inserted for the best off. The Conrad plan says all of this spending, whether it has been in the appropriations bill or it has been in the tax bill, is going to be examined. That is a fundamentally fair approach.

Let's look at that in a little more detail, look at what the Conrad budget does in terms of fair rates for the middle class. First, it provides the alternative minimum tax protection for the middle class. Second, it continues tax reductions for the middle class that we have currently. Third, it cancels the bonus breaks for the millionaires and billionaires. That is basic rate fairness.

In addition, it says let's take on those special tax subsidies and tax earmarks that my colleagues across the aisle have been so proud of inserting into the Tax Code to protect the best off in society. Let's examine them and if they do not meet the fundamental test of creating employment, contributing to fairness, and being more important than other programs compared against each other, then they should be eliminated.

In addition, let's take off on those offshore tax havens. There are so many setups in which companies have essentially false addresses in the Caribbean so they can transport their profits to a place where they pay no taxes. Those tax havens, in combination with abusive tax shelters, need to be ended. These are all part of tax fairness and taking on this very important challenge we have in terms of our national deficit and our debt and taking it on in a manner that strengthens the programs that need to be strengthened.

You will find the Conrad budget, in contrast to the Republican budget, says let's invest in education. We are in a knowledge economy world. We must invest in education if our economy is going to thrive and our children are going to be successful.

The Conrad budget, in contrast to the Republican budget, says let's invest in infrastructure. We are falling behind in terms of supporting infrastructure. China is spending 10 to 12 percent a year. Europe is spending 5 percent a year. America is spending only 2 percent and that is barely enough to repair our existing infrastructure. In fact, sometimes those repairs are falling short. I know our county officials and city officials will be glad to provide us with a list of how short we are.

The third area is the Conrad budget invests in energy. Why is energy so important? Because currently we are spending $1 billion a day, sending it overseas, basically as a result of our addiction to oil. When you send $1 billion overseas for oil, you do three things. The first is you create a danger to our national security because of the dependence for our energy on governments in the Middle East and other places around the world that do not share our fundamental interests.

The second is you create jobs overseas spending that money rather than creating jobs here in the United States. Let's spend that $1 billion a day here in the United States of America on red, white, and blue American-made renewable energy. Not only does our security improve but in addition we create the jobs here in the United States.

Third, by ending our addiction to oil we contribute to addressing the carbon pollution challenge faced around this globe rather than being part of the problem ourselves.

Let's not adopt a budget plan that ends Medicare as we know it and replaces it with a voucher program, that savages programs for working Americans, and that protects the programs for the best off in our society. Let's instead invest in energy, invest in education, invest in infrastructure, and obtain the same impact on our deficit but do it in a manner that builds our economy and builds American families. That is the type of program that Trudy from Keizer, OR, wishes to see, Linda from Canby, OR, wishes to see, and workers throughout the United States want to see because they know we should have a plan that creates jobs and builds the success of our families rather than doing the reverse.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, now you hear the other side of the story. It is a privilege for me to come to the floor of the Senate to speak on the issue of the bill before us, which is a sense-of-the-Senate bill, which means basically the Senate is debating something that is not shooting with real bullets. In other words, it just expresses the sense of the Senate, it does not change any law, so it doesn't amount to much.

As the President and congressional leaders continue to debate how best to reduce the deficit, it seems my friends on the other side of the aisle and my President continue to demand a tax increase as part of any deal. For sure, any discussion of reducing the deficit should include a discussion of tax reform, but tax reform is different from tax increases. You heard the previous speaker speak about Republican plans that deal with reducing expenditures, and that is right, because we believe the deficit problem in this country is not because the American people are undertaxed, it is because Congress and Washington overspend. However, what is being discussed with this bill currently is tax increases on targeted groups, supposedly because they can afford it. This is not tax reform.

Professor Vedder of Ohio University has studied tax increases and spending for more than two decades. In the late 1980s he coauthored with Lowell Galloway, also of Ohio University, a research paper for the Congressional Joint Economic Committee. That study found that every new dollar of new taxes led to more than $1 of new spending by the Congress. It did not reduce the deficit then—you raise a dollar, you increase the deficit. I will be a little more specific.

Working with Stephen Moore of the Wall Street Journal, Professor Vedder updated that research last year and came to the same result. Specifically, Moore and Vedder found:

> Over the entire post-World War II era, through the year 2009, each dollar of new tax revenue was associated with $1.17 in new spending.

That is like a dog chasing its tail. Very few dogs catch them, so when you raise a dollar here, common sense might dictate it goes to the bottom line, but it doesn't work out that way. It actually increases the deficit because Congress believes we have a new dollar coming in, let's spend $1.17.

History proves tax increases result in spending increases. We know that increasing taxes is not going to reduce the deficit. History also shows that tax increases do not increase revenues. That is probably contrary to most people's common sense, but I have a chart here that I think demonstrates this very clearly. I will be somewhat repetitive because I want to leave my remarks and go to this chart, and I will refer to it again.

What this chart basically shows is that over a long period of time, going back to World War II to the present, all the taxes coming into the Federal Government have been roughly 18.2 percent of gross national product, but pretty much even-steven across the board. Sometimes it is up a little bit, sometimes down a little bit, but for 50 or more years it is averaging about 18.2 percent of gross national product.

What this chart also shows is—contrary to what you believe, that if you raise taxes you are going to bring in more revenue, and if you reduce taxes you are going to bring in less revenue—that is not true.

That gets to this issue of taxing the wealthy. It gets to the issue of raising taxes on anybody. From World War II until Jack Kennedy, President Jack Kennedy, we had 90 percent marginal tax rates. Then from President Kennedy to President Reagan, we had 70 percent marginal tax rates. Then in the last half of the Reagan administration and up until 1986 it was reduced to 50 percent, under Reagan's administration. Then Reagan had another tax bill and it was reduced to 30 percent. Then of course President Bush the dad made this promise in the campaign:

Read my lips, no new taxes.

But he didn't keep his promise so the taxes went back up to about 40 percent for a period of time until you get to a period when Bush the son comes into office and the marginal tax rate is reduced to where it is now, 35 percent.

But whether you have high marginal tax rates or low marginal tax rates, you get about the same amount of revenue. I am going to be repetitive on that point but it is very important that you understand that.

History shows that tax increases do not increase revenues. The chart here shows that revenue as a percentage of gross domestic product hovers around 20 percent as far back as post-World War II. I said in my off-the-cuff remarks it averaged out about 18.2 percent.

This chart also shows where you have high and low marginal tax rates over those same years. During the last years of World War II, we had a 94-percent tax rate. Then from 1950 through 1963, it was 90 percent, as this chart shows, and under President Kennedy—and I want to emphasize that he was a Democrat—he was smart enough to reduce marginal tax rates to incentivize entrepreneurship. He reduced the marginal tax rates to 70 percent. They stayed around 70 percent until President Reagan brought it down to 50 percent.

Let me say at this point, I gave President Reagan credit for it, but I was a brandnew Member of the Senate Finance Committee in 1981 and we had some very brave Democrats on that committee who believed that 70 percent was too high and it was going to promote entrepreneurship more if you reduced it to 50 percent. President Reagan gets credit for it. I don't think any Republican on the Senate Finance Committee could take credit for it because we would have been accused, as we have just been accused, of wanting to reduce taxes on wealthy people, so thank God there were a lot of smart, intellectually honest Democrats on the Senate Finance Committee in 1981, who said the tax ought to be reduced to 50 percent. Well, then it went down to 30 percent when we reduced marginal tax rates further during the Reagan administration. Then, as I said before, the first President Bush reneged on his promise to not raise taxes, and the marginal tax rates went back up to 40 percent and stayed there until the tax relief enacted under the second President Bush. During all of these tax increases and decreases, the amount of revenue as a percentage of GDP stayed roughly flat, with a 50-year average of 18.2 percent.

So everybody thinks that if you raise the marginal tax rates, you are going to bring in more revenue—seemingly common sense but not true because the taxpayers, the workers in America, the investors in this country that create jobs are smarter than we are, but we don't think they are smarter than we are. And we have had 93 percent marginal tax rates, 70 percent, 50 percent, 30 percent, back to 40 percent, now 35 percent. Regardless of that rate, we get roughly the same amount of revenue. Higher tax rates just provide incentives for taxpayers to invest and earn money in ways that result in the least amount of taxes paid or you might say it this way: Some people just say to themselves that they are not going to work hard because why should I work so darn hard if I am going to send the money to Washington for people in Congress to spend and waste? In other words, taxpayers have decided they are going to give us politicians in Washington just so much money to spend, and it comes out about right here.

We ought to have some principles of taxation that we abide by, and I abide by this principle that 18 percent of the gross domestic product of our country is good enough for the government to collect and to spend. That leaves 82 percent in the pockets of taxpayers for them to decide how to spend. When you send money to Washington with 535 of us deciding how to spend it, it doesn't do as much economic good or turn over as much in the economy and create jobs as it would if it was left in the pockets of the 130-some million taxpayers individually to decide how to spend it.

This benchmark of 18 percent of gross domestic product is good, and it has been consistent throughout recent history. It is a principle we should keep in mind while we debate Tax Code changes.

This level of taxation—another reason I say it is justified is it has not been harmful to the economy, as higher tax rates such as we find in Europe are harmful to the economy—much higher tax rates than we have in this country—and it seems to be a level of taxation that there has not been a great deal of revolt by the taxpayers of America against.

There is another principle I would like to have you keep in mind; that is, What is the purpose of tax law? Those who support bills such as the one we have here currently debated, this meaningless bill, assume that the key objective for our Federal Government through the Federal income tax laws should be to ensure that income is distributed equally throughout the country as opposed to government taxing for the purposes of government but not for the purposes of the redistribution of wealth. In other words, the authors of this bill believe the Federal Government is the best judge of how your income should be spent.

Bills such as the one we are considering today assume—I say it for a second time—assume that 535 Members of Congress know how to best spend the resources of this country, and presently that is about 18 percent, but that is not enough. Well, actually, they are spending more than 18 percent because the expenditures of this country add up to about 25 percent of the gross national product from the Federal Government because we borrow 42 cents out of every dollar we are spending today.

It assumes that government creates wealth and should therefore spread it around the way they do in Europe. In fact, government doesn't create wealth; government consumes wealth. Only workers and investors, laborers, and people who provide capital and, in turn, people who use their brain to invent and create, is what creates wealth. Yet, as history shows, there is evidence that tax increases lead to more spending—and I quoted Professor Vedder—and that revenues as a percentage of gross domestic product pretty much stay the same regardless, even if the marginal tax rates are very, very high.

It would be one thing for me to vote for a tax increase if it went to the bottom line: reducing the deficit. It is quite another thing to vote for a tax increase that just allows more spending and raises the deficit instead of getting the deficit down.

The resolution before us now in the Senate requires us to concede ''that any agreement to reduce the deficit should require that those earning more than $1,000,000 per year make a meaningful contribution to the deficit reduction effort.'' The bill does not state that such a ''meaningful contribution'' would be accomplished through tax increases, but how else would the authors of this bill and the taxpayers intend to or make such a contribution?

Let me make clear that I do not support this bill and will vote no on its adoption. However, I think it is a good thing we are debating such an issue. It is clear that those who support this bill believe those earning more than $1 million per year are not paying their fair share. Note, however, that just last year, these very same people believed that a single person who earned $200,000 or a married couple who earned $250,000 weren't paying their fair share.

In evaluating whether people are paying their fair share, experts frequently look at whether the proposal retains or improves the progressivity of our tax system.

Critics of lower tax rates continue to attempt to use distribution tables to show that tax relief proposals disproportionately benefit upper income taxpayers. We keep hearing that the rich are getting richer while the poor are getting poorer, don't we? Almost every day. This is not an intellectually honest statement, as it implies—what does it imply? It implies that those who are poor seem to stay poor and that those who are rich seem to stay rich. So I want to dispute that position.

In 2007, the Department of Treasury published a report entitled ''Income Mobility in the United States From 1996 to 2005.'' The key findings of this study include the following:

> There was considerable income mobility of individuals in the U.S. economy during the period 1996 through 2005 as over half of taxpayers moved to a different income quintile over this period.
>
> Roughly half the taxpayers who began at the bottom income quintile in 1996 moved up to a higher income group by the year 2005.
>
> Among those with the very highest incomes in 1996—the top 1/100 of 1 percent—only 25 percent remained in the group in 2005.

One in four 10 years later. So the poor aren't always poor and the rich aren't always rich.

> Moreover, the median real income of these taxpayers actually declined over this period.
>
> The degree of mobility among income groups is unchanged from the prior decade (1987 through 1996).

So I used the group 1996 through 2005, and I am comparing it with the group 1987 through 1996, so I want to repeat that the degree of mobility among income groups was unchanged over a 20-year period of time.

Continuing to quote:

> Economic growth resulted in rising incomes for most taxpayers over the period of 1996 through 2005. Median income of all taxpayers increased by 24 percent after adjusting for inflation. The real incomes of two-thirds of all taxpayers increased over this period. In addition, the median incomes of those initially in the lower income groups increased more than the median income of those initially in the higher income group.

Therefore, whoever is saying that once rich, Americans stay rich, and once poor, they stay poor, is purely mistaken because America is a country and land of opportunity.

Now, I want to say that the Internal Revenue Service data supports the analysis I just gave. I was done quoting at that point.

A study of 400 tax returns with the highest income reported over 14 years—and I don't know whether these are the same 400 taxpayers my friend on the other side just referred to in his speech, but a study of 400 tax returns with the highest incomes reported over 14 years, from the year 1992 to the year 2006, shows that in any given year, on average, about 40 percent of the returns that were filed were not in the top 400 in any of the other 14 years. I got the impression that the top 400 taxpayers in the previous speech were maybe always the same people, but 40 percent were not in that group.

The so-called shared sacrifice bill before the Senate now does not acknowledge these trends; hence, I think it is intellectually dishonest. It presupposes that anyone making more than $1 million should be contributing more to reduce a deficit that they likely did not create in the first place. We created it.

The bill assumes that the folks in this income category have always made more than $1 million, that they haven't paid their dues on their way up the ladder of success and, as a result, should pay a penalty for their current success even if they are on the way down the ladder. The bill also assumes these folks will continue earning what they are earning now.

As I just noted, however, the Treasury report and the IRS tax data contradict this position.

I welcome this data on this important matter for one simple reason: It sheds light on what America really is all about, what this great country is all about—vast opportunities. Of course, as I just said in these statistics, but you can see it in a lot of different ways as well, we are a country of great economic mobility. This country is built by people from all over the world. Our country truly provides unique opportunities for everyone. These opportunities include better education, health care, financial security, and probably a lot of other things. But, most importantly, our country provides people with a freedom to obtain the necessary skills to climb the economic ladder and live better lives. We are a free nation. We are a mobile nation. We are a nation of hard-working, innovative, skilled, and resilient people who like to take risks when necessary in order to succeed. We have an obligation as lawmakers to incorporate these fundamental principles into our tax system.

On another matter in this debate, we have also heard much about ''closing loopholes.'' Well, that sounds good. I don't want to tell you how I believe that ought to be done. There are things that are legal, and there are things that are not legal. There are things that are legal and there are things that aren't legal. Let me say if there are, in fact, loopholes to be closed, I would support closing them.

During my tenure as chairman and then ranking member of the Finance Committee, I worked with colleagues from both sides of the aisle to cut off tax cheats at the pass. The American Jobs Creation Act signed into law in October of 2004 included a sweeping package to end tax avoidance abuses such as corporations claiming tax deductions for taxpayer-funded infrastructure such as subways, sewers, and bridge leases; corporate and individual expatriation to escape taxes; and Enron-generated tax evasion schemes. We closed them.

One of the tax avoidance provisions the jobs bill shut down was so-called corporate inversions. Average workers in America can't pull up stakes and move to Bermuda or set up a fancy tax shelter to avoid paying taxes. Companies that do this make a sucker out of workers and companies that stay here in this great country and pay their fair share of taxes. So that was closed. Corporate inversions, we called that.

We also closed loopholes used by individual taxpayers. The jobs bill contained a provision that restricted the deduction for donations of used vehicles to actual sales price. Prior to that fix, individuals were claiming inflated fair market values before they gave their car to a nonprofit organization.

Then in the Pension Protection Act, which was signed into law in August of 2006, I championed reforms to deductions for gifts of ''fractional interests'' in art as well as donations to charities that were controlled by the donor. Because if you give money away, it ought to be given away. A person should not be able to control it after they give it away. The same way with art. In both cases, individuals were taking huge deductions for donations without providing equivalent benefits to the charities to which they donated.

In addition to ensuring income and deductions are properly reported, I also supported giving the Internal Revenue Service more tools to go after tax cheats. The jobs bill contained provisions that required taxpayers to disclose to the IRS their participation in tax shelters and increased penalties for participating in such tax shelters as well as not disclosing such participation to the IRS.

I also authored the updates to the tax whistleblower provisions included in the Tax Relief and Health Care Act which was signed into law in December of 2006. There was a whistleblower statute long before that, but because of the low dollar threshold, it encouraged neighbors to blow the whistle on their neighbors. So the 2006 changes I championed increased the awards for those blowing the whistle on the big fish—individuals and businesses engaged in large-dollar tax cheating through complex financial transactions.

I don't know why it took the IRS so long to get this law under way because they have had plenty of whistleblowers come forward, but we have only had one time so far—I think we will get a lot of others now—but we have only had one time so far under this provision, which was instituted in April of this year, and we recovered $20 million for taxpayers that otherwise would have been lost to fraud—from one company.

These are just a few examples of my support for provisions to stop abuses of the Tax Code to make sure everyone pays their fair share. If and when we get around to considering comprehensive tax reform, I look forward to shutting down any other abuses that exist. But first we need to be clear on what a loophole is.

Itemized deductions are just that: itemized deductions. They are not loopholes. Similarly, deductions and tax credits that enable a corporation to zero out its tax liability are not loopholes. For instance, if a person had a loss last year, they can carry it forward to this year. The question of whether deductions and credits should be limited is a question that should be answered not to raise revenue but in the context of comprehensive tax reform. Eliminating deductions and credits for certain taxpayers should be subject to extensive review and extensive debate. Taxpayers should not be targeted for tax increases for political sport, as this resolution before us does.

I wish to finish by summing up in three points, very quickly. First, according to this chart, tax increases don't—well, not according to this chart. That is the second point I will make. First, tax increases don't reduce deficits and they don't increase revenue as a percentage of GDP.

Secondly, we ought to have some principles of taxation. First of all, this chart shows that we get about the same amount of revenue coming in over a 50-year period of time—about 18.2 percent of gross national product. We have high marginal tax rates, really low marginal tax rates, but it still brings in about the same amount of revenue.

Second, we ought to have some principles of taxation that we abide by. Limiting revenues to the historical average of 18 percent of GDP should be one, while ensuring income equality should not be one. In other words, we raise revenue for the purpose of funding the functions of government, not to redistribute wealth.

Last but not least, it is right to consider tax reform when discussing deficit reduction. However, the proposals put forth so far, including the current bill, are political proposals—not reform proposals. Tax reform requires Presidential leadership, and we are just now seeing that. I mean, we are not seeing it on tax reform, but we are finally seeing it on deficit reduction. But I don't think it is going to last very long.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his request?

Mr. GRASSLEY. Yes.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### FLORIDA'S CITRUS CROP

Mr. NELSON of Florida. Madam President, I will speak on this bill before us tomorrow and matters about the budget, the deficit, and how it ought to be solved, and it has to be solved. I will reserve comments on that until tomorrow.

In the meantime, what I wish to point out to the Senate is that we had a very significant benefit to not only the Florida citrus industry but to the worldwide citrus industry, because there is a bacterial disease and, of all things, it is called citrus greening. Well, it is anything but that, because what it does is it kills a citrus tree within 5 years. It has infected every grove in Florida.

When I say the worldwide citrus industry is being threatened, I mean just that. This strain of bacteria came somewhere from Asia and has been imported not only into the United States but into a lot of other countries that have moderate climates, warm climates, humid climates. There is another version that came from a different part of the world that is not as virulent. But what happens is this bacteria that has now been brought into this country—it is in Brazil as well, another major citrus-producing country—and it is carried by a little insect called a psyllid.

The little psyllid carrying this bacteria bites into the tree, the bacteria gets into the sap, and it will kill the tree in 5 years, and there is no known cure. Well, if it is going to kill a tree in 5 years, we can see the potential for the destruction of what we have come to think of as standard fare—that we are going to have orange juice on our breakfast table, and that those who enjoy the mild elixirs and mix certain elixirs with orange juice—called maybe mimosas, whatever—that this is going to be a thing of the past if we don't get serious about finding a cure for this disease.

The reason it is so extraordinarily lethal for the United States and for the State of Florida is the fact that since every grove has been affected, and since almost all of our orange juice that we consume in domestic consumption in the United States—I say almost all; the biggest percentage comes from Florida, and some of it, a little bit, from California; mostly the juice that is added to Florida juice comes from Brazil, but when there is a bumper crop in Florida, they don't have to ship it in, in refrigerated ships from Brazil—we are going to have a whole way of life, a whole tradition, we are going to have domestic consumption that is threatened if we don't come up with a cure.

The Florida citrus industry, to its credit, has been taxing itself—the growers—to produce a stream of revenue that will allow it to continue the research to try to find a cure. We have gotten some limited amount also from the U.S. Department of Agriculture, and supplementing all of that with back at the time when we could make a specific appropriations request, otherwise called an earmark, this Senator certainly was asking for appropriations to help find a cure to this dread disease. We haven't found the cure, and we have to have a stream of revenue to keep this going.

Since it is so difficult to pass anything around here these days—even the citrus trust fund I filed last year, we had a whole bunch of cosponsors. But this year, of course, we are all wound around the axle here on passing anything if it has to do with the budget. So what I did was go to the U.S. Department of Agriculture and I asked for help. We have to have some help immediately. Fortunately, the administration—and I talked to the Chief of Staff of the White House about how dire this situation is. We can't wait. So they announced yesterday they are releasing $2 million immediately that will go into the USDA Research Station at Fort Pierce, FL, for the remainder of this fiscal year. In the next fiscal year, assuming the competitive grants fund is funded by the Congress for the Department of Agriculture—which we have to assume is going to continue—the USDA has set aside an amount of $5 million in the next fiscal year, starting October 1, that will go directly into this research, and they have agreed to set aside in the following 2 years $2 million, $2 million in each of those years, so that we have a steady stream of funding of $11 million for research specifically for citrus greening.

California may have this bacteria. If Texas doesn't have it, it is just a matter of days or months, and the same with the citrus that is grown in Arizona. Of course, in a country such as Brazil, it is to their credit some of the citrus growers in Brazil have actually contributed money to our U.S. research institutions trying to find a cure, because Brazil has the same problem. They have it in a lot of their groves. The big difference between the Brazilian citrus industry and the United States is that they have more land, so they can mow down and burn a citrus grove and go over and clear new land that is unaffected and go on and start a new grove.

You don't have that luxury. We don't have it in any of our citrus-growing States in the Sun Belt, and certainly we don't have the luxury in Florida to go out and find new land to plant new citrus groves.

This is a very significant departure and a welcome new announcement by the U.S. Department of Agriculture that they will be sending $11 million over the next 3 years specifically dedicated to finding a cure for citrus greening before it is too late.

Citrus growers can prolong the life of a grove by doing certain spraying and so forth, but at the end of the day the tree is going to die, and they are not going to produce any oranges for orange juice and no grapefruit for the grapefruit we enjoy.

Just so the rest of the Senate will understand, this industry is part of us as Floridians. We have, even on our license tags in Florida, an orange. We have an industry that has been a mainstay of our economy for years and years. Of course, because of the forward thinking, the Florida Citrus Commission, in the late forties, fifties, and sixties made orange juice become a wanted and acceptable commodity on most every American breakfast table. And it is threatened. It is up to us to do something about it.

I was particularly thankful to the administration that they would come up with the $2 million immediately because, in addition to the growers taxing themselves on a per citrus box produced assessment, they were counting on the State of Florida to produce a $2 million appropriation to go into a $15 million research fund, and this year, lo and behold, the Governor of Florida vetoed that in the appropriations bill. So the replacement of that vetoed item by the Governor, with this Federal money from USDA, considered an emergency allocation, is welcome, timely, and it is much appreciated by all of the aficionados across America that enjoy orange juice as a staple in their diet.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SPACE SHUTTLE LAUNCH

Mr. NELSON of Florida. Madam President, let me just say that with the last space shuttle launching last Friday—and it was a beautiful launch—of course, the expertise of the finest launch team anywhere in the world was very evident. When they got down to T-minus 31 they saw an indication on the controls that there had not been a retraction of one of the arms, which is a servicing arm, but they were ready for that, and as it turned out, it was a faulty sensor. Of course, the way they checked is they have cameras all over the launch tower. So they turned the cameras on and trained them over there and saw that it had, in fact, retracted and was pulled into a safe position. So with only 53 seconds left in the launch window—the window being that they had to launch the shuttle at that time so that it, once in orbit, could catch up with the space station, which was its destination, with 53 seconds to go, the count continued then, starting at T minus 31 and went down to a flawless launch and flawless flight, as they are now docked with the space station, and as they are now transferring this 20,000 pounds of cargo and equipment and supplies that will keep the International Space Station supplied for the next year.

I don't think people realize how big the International Space Station is. It is 120 yards long. If you sat on the 50-yard line of a football stadium and looked from the end of one end zone all the way to the other, that is how big the International Space Station is that we have built with another 15 national partners. Primarily, our partner in building it was Russia. Of course, you remember that the iteration before the International Space Station was originally the Soviet space station that became the Russian space station called MIR, which we used to fly our astronauts with the space shuttle to the Russian space station. So the Russians have been our partners.

Remember, when we have been down—for example, after the destruction of the space shuttle *Columbia* in early 2003, for over 2 years we would not fly the space shuttle as we went through and made the corrections that had caused the destruction of *Columbia* and the loss of seven astronauts. We relied on the Russians to get us to and from the space station.

The sad thing is that the new rockets that we are building to go to and from the space station—there is one version of those rockets that, in fact, is going to fly later this year, rendezvous and dock with the space station and deliver cargo. But it has not been human rated. To do that, we have to go through and put in all the redundancies for safety, all of the escape mechanisms on the capsule, and once that is done this will be a rocket that will be much safer than the space shuttle—as a matter of fact, we can save the crew even from—if they had an explosion on the pad, the crew can safely eject in the escape rocket with the capsule parachuting to safety, all the way, 8½ minutes to orbit—if they had a malfunction.

Contrast that with the space shuttle. When we saw *Atlantis* lift off, for the first 2 minutes there is no escape. You are married to those big solid rockets. If there is a failure then, there is no way out for the crew, and, as we saw, that was how *Challenger*, 25 years ago, was destroyed. They had a malfunction in one of the rockets. It caused the whole thing to explode—one of the solid rockets—within the first 2 minutes of flight.

We are going to have a much safer way to get to and from the space station. The sad thing, however, is that the rocket for humans is not ready. It is going to take about another 3 years. Therefore, it is sad that with all of that finest launch team in the world at the Kennedy Space Center, a good part of them are having to be laid off. That employment will ramp up over the next several years as we build and launch those kinds of rockets.

There is another set of human-rated rockets. I am talking about the manned space program now, not the unmanned. This year we are going to Jupiter. Later on we are getting ready to launch a Volkswagen-size rover that will go to the surface of Mars.

Do you know what those little rovers have done over the last number of years? They have gone, like the energizer bunny, all over the surface. This one is going to be the size of a Volkswagen. So we have these kinds of mixes going on, but the human space program—the next big one to get NASA out of the Earth's orbit is the rocket that we are developing, a monster rocket. The capsule contract has already been let, and we are now going on in the process of—pursuant to the NASA law we passed last year—proceeding with the design and building of this rocket, which will take us, on the goal set by the President, to Mars with interim stations along the way. He has suggested an asteroid—to rendezvous and land with an asteroid by 2025. We have a vigorous space program going ahead.

Senator HUTCHISON, who has been a wonderful partner in helping set NASA policy in all of this, and I are going to have something to say about this in the next few days because we think there is a holdup in the Office of Management and Budget with regard to the rocket design and the architecture for the big rocket. We are wondering why this delay keeps occurring. But we will talk about that in the later session.

With that, I yield the floor.

Mr. RUBIO. Madam President, had I been present to vote on the motion to proceed to consider S. 1323, I would have voted no.

There is broad consensus in Washington that a ''balanced approach'' between spending cuts, controls, and increased revenue is the only possible way to reduce our $14.3 trillion national debt and avert a Greek-style debt crisis. I share this perspective.

As the ongoing debt negotiations advance, Members of Congress should evaluate the components of a debt package through one question: Will this make it harder or easier for the American people to create jobs? For my part, I have never met a job creator in Florida that has told me they are waiting for Congress to pass another tax hike before they start growing their business.

Unfortunately, as evident by S. 1323, some in Washington believe higher revenues in a debt package should come from massive tax increases, even at a time when the unemployment rate is 9.2 percent and 25 million Americans are unemployed or underemployed. I vehemently disagree with this approach and will oppose a net tax increase on the economy that makes its way into a debt reduction deal.

To be clear, new revenues are an essential component of debt reduction. We can't simply cut our way out of this debt; we also need to grow our way out of it. The best way to do this is by increasing the number of taxpayers gainfully employed in our economy and by easing burdensome regulations, not by raising taxes.

We can generate lasting economic growth and trillions in new revenues for the Federal Government through pro-growth tax reform. Senator PAT TOOMEY has a budget proposal that lowers top marginal tax rates to 25 percent in a revenue-neutral way and eliminates loopholes and deductions, resulting in $1.5 trillion of additional real growth over the next decade and millions of new private-sector jobs, according to the Heritage Foundation. His budget recognizes that tax cuts and an overhaul of our 70,000 page Tax Code will create jobs and generate trillions in new revenue.

Net tax increases are poor economic policy. Will raising taxes on manufacturers make it easier for them to hire new workers? Will raising taxes on American energy companies make it easier to create jobs? Will raising taxes on the businesses that Democrats refer to as ''millionaires'' allow those businesses to expand? Across the board, the answer is no. Instead, these tax increases will kill jobs in every district, State, and industry in the country. Regardless of the rhetoric coming from Washington politicians, these taxes will also have a mathematically insignificant effect on deficit reduction.

I proudly support a ''balanced approach'' in the context of debt reduction that grows the economy and boosts tax revenues in the process, but when presented with the option of choking our weak economy with yet another tax increase, I will oppose it. Our country needs new taxpayers, not new taxes.

## HONORING OUR ARMED FORCES

### SERGEANT FIRST CLASS TERRYL L. PASKER

Mr. GRASSLEY. Madam President, the State of Iowa has lost one of its native sons, and the Nation has lost a true patriot. SFC Terryl L. Pasker from Cedar Rapids, IA, was shot and killed in Panjshir Province, Afghanistan, while serving with the Iowa National Guard in support of Operation Enduring Freedom. He was 39 years old and was just completing his second tour in Afghanistan. My thoughts and prayers are with his wife Erica, his parents Mary and David, and those who knew him and cared about him. Terryl Pasker is described as an upbeat, religious man. He was known as a hard worker and he owned a contracting business in his civilian life. The loss of someone in their prime, with a bright future and a whole life left to live is a tragic thing. It gives us pause to reflect on the tremendous sacrifice we ask of our servicemembers, and have since the first minutemen rallied at Lexington and Concord. I would like to pay tribute to the life and service of SFC Terryl Pasker and ask that my colleagues join me in honoring his memory.

## VIOLENCE AGAINST ANTIMINING ACTIVISTS IN EL SALVADOR

Mr. LEAHY. Madam President, I want to speak briefly about some troubling developments in El Salvador, which should concern us all.

On June 14, 2011, the body of Juan Francisco Duran Ayala was found with a gunshot wound to the head in the Soyapango Municipality of San Salvador. He was reportedly last seen alive on June 2 in Ilobasco, Cabanas, posting flyers critical of gold mining in that area, the day before he disappeared. In addition to studying at the Technological University in San Salvador, Mr. Duran had volunteered for the Environmental Committee of Cabañas in Defense of Water and Culture. His death is one of a shocking number of instances of violence against antimining activists in Cabañas.

In 2009, Gustavo Marcelo Rivera went missing for nearly 2 weeks before his body was found on June 30 in a well with signs of torture. Mr. Rivera was the cofounder of the Asociación Amigos de San Isidro Cabañas, and was a vocal leader in the anti-mining campaign in San Isidro, Cabañas. Since Mr. Rivera's death, at least eight other members of the antimining community in Cabañas have reportedly been killed, including Mr. Duran, and yet it is still unclear who is behind this pattern of deadly violence.

There have also been recurrent threats against the lives of journalists at Radio Victoria, which broadcasts in that area.

Cabañas is located in the north central part of El Salvador and has a long history of gold mining. Pacific Rim Mining, a Canadian company that acquired a large mine named El Dorado, was the subject of Mr. Rivera's and Mr. Duran's protests. Now that their voices have been silenced, people in that community are demanding thorough, credible investigations of these crimes, both to obtain justice for their families and in order that future activists can exercise their right to speak out peacefully without losing their lives.

Unfortunately, El Salvador is a country where criminal investigations rarely result in arrests, and those that do almost never result in convictions. Impunity and corruption within the police are common, as in many other countries of the region. Some accuse local police and municipal officials of complicity in the harassment and threats against antimine activists and the radio station, and point to the fact that no one has been punished for these crimes.

To compound the problem, judicial independence, already fragile, is under threat in El Salvador. On June 2 the Salvadoran Legislative Assembly approved a decree which requires the five members of the Constitutional Court to rule unanimously instead of with the previous four person majority. The law was approved with the support of a broad spectrum of political parties.

The vote was reportedly in response to a number of unpopular decisions by the Court over the past 2 years. The passage of the decree threatens judicial independence in a country where the Court has only recently demonstrated a willingness to act as a check on executive and legislative power. That is the role of the judiciary in a democracy, and the outcome of this impasse will have profound implications for the country.

El Salvador has been through a difficult history. The 1980s civil war polarized the country and those who suffered most, the rural poor, are still struggling to recover. The country's democratic institutions are weak, particularly the judiciary. The country is coping with rampant violent crime, and the infiltration of well financed criminal gangs into all sectors of society.

In the midst of this, the brutal slayings of people like Juan Francisco Duran Ayala and Gustavo Marcelo Rivera might be regarded as little more than a grim statistic, soon to be forgotten. But we have not forgotten them. All indications are that they did nothing more than act as the voices of people in their communities who are concerned that their way of life, and the land they depend on, is being destroyed.

We know the Funes Government is coping with many problems. We are helping, by providing tens of millions of dollars to support programs in health, education, economic development, and to strengthen law enforcement. We provided additional funding to help the country rebuild from the devastating floods in November 2009. But there is no more important responsibility of government than upholding the rule of law. The urgent necessity of the message that would be sent to all the people of El Salvador by bringing the perpetrators of these crimes to justice cannot be overstated.

## VA INFECTION CONTROL PRACTICES

Mrs. MURRAY. Madam President, I would like to take a moment today to recognize the success of recent efforts at the Department of Veterans Affairs, VA, to reduce Methicillin-resistant Staphylococcus aureus, MRSA, infections by more than 60 percent in intensive care units. This initiative by VA was highlighted in a New England Journal of Medicine article this year.

MRSA is a nationwide problem. It is estimated that it kills 20,000 U.S. residents a year and hospitals remain an important source of this infection. Three years ago, VA launched this initiative to ensure that it leads the way on eradicating MRSA infections from their facilities. The success of this initiative has created a culture that promotes infection prevention by adding patient screening programs for MRSA, precautions for hospitalized patients found to have MRSA, and hand hygiene reminders with readily available hand sanitizer stations throughout VA medical centers.

Every day thousands of veterans visit VA health facilities to receive care. VA provides care for more than 6 million veterans each year. In the first 3 years of this initiative, more than 1.7 million screening tests for MRSA were given to veteran patients at VA medical facilities throughout the United States. Screening tests such as these help our veterans stay safe from deadly antibiotic-resistant infections, a threat no American should face when they visit a hospital.

Since the initiative's start in 2007, VA has increased the amount of MRSA screenings to 96 percent of all admitted patients. This newly instituted culture that promotes infection prevention has been so successful that infection rates for MRSA have decreased by 62 percent over the past 3 years within VA intensive care units and by 45 percent in other areas of the hospital. The success of VA's work on MRSA prevention is proof that with dedication and strong leadership, VA can make significant improvements in their ability to control infections and deliver high quality health care. It is my hope that these results will be replicated across the healthcare system nationwide and that success achieved by VA in improving the safe delivery of care through the reduction in MRSA infections will be mirrored in their efforts in other areas, like the sterilization and reprocessing of reusable medical equipment.

As the chairman of Senate Committee on Veterans' Affairs and the daughter of a disabled World War II veteran, I know firsthand the need for quality health care for our veterans. No one who has made sacrifices to serve our Nation should ever struggle to find quality, timely health care, which is why I am so pleased today to highlight this successful initiative and commend VA on their efforts to eradicate MRSA from their health care facilities and continue to provide care for our Nation's heroes.

## ADDITIONAL STATEMENTS

### TRIBUTE TO FATHER WILLIAM HULTBERG

● Mr. CASEY. Madam President, today I wish to honor Father William Hultberg, a very special priest from my home State of Pennsylvania. Known to many simply as ''Father Bill,'' he is a member of the Oblates of St. Francis DeSales and has provided both his country and his Pennsylvania community with a lifetime of service as a spiritual and religious counselor. Saturday, July 16, 2011, will mark his 80th birthday.

To those who know him, Father Bill is a man whose commitment to spirituality, concern for his fellow man, and sense of service is virtually unparalleled. After earning his bachelor's degree in education and Spanish from LaSalle University and his master's degree in education and guidance from Niagara University, Father Bill began his lifelong commitment to country and community with his chaplain service in both the U.S. Army and U.S. Navy. He retired as a lieutenant colonel in 1991 after 35 years of exemplary service. During his time as a Navy Chaplain with the Marines, he received the Bronze Star Medal with a ''Combat V'' for valor. As an Active-Duty chaplain with the U.S. Army, he was awarded four Meritorious Service Medals for his efforts in developing and implementing alcohol and drug prevention programs for servicemembers.

Father Bill's commitment to providing spiritual and religious counseling to those suffering from alcohol and drug addictions continues to this day. As a certified pastoral and drug addiction counselor at Caron Treatment Center in Wernersville, PA, Father Bill has offered spiritual guidance and an understanding of the 12-step spirituality of recovery to addicts and their families. His efforts over his 24 years of service to Caron have been central in providing those who suffer from addiction with the necessary tools to achieve sobriety and have truly left their mark on the Caron community. To this point, his unique Sunday services have become an honored, albeit mandatory, tradition at Caron. Described by some as an ''evangelical rally,'' Father Bill integrates 12-step traditions, elements of Christian worship, and other material at these services to provide opportunities for those in recovery and their families to share their pain and hope with one another as they struggle with addiction.

Throughout his career, Father Bill has also been a beacon of hope to those suffering from HIV/AIDS. His development and implementation of a spiritual program for those afflicted with the disease and his contribution to Caron's HIV retreat weekends have provided comfort and guidance to many. Not only have these efforts had an immeasurable impact in Pennsylvania, but they have also garnered Father Bill national recognition in the form of the Ryan White Youth Service Award, a national awards program recognizing leaders for reaching out to support youth in the prevention of HIV.

I would like to join the Caron Treatment Center's community in wishing Father Bill a very happy 80th birthday this weekend and to thank him for his lifetime of service to both the Commonwealth and the country. I, and many others, wish him many more years of health and happiness as he celebrates this milestone.●

### 29TH METRO DETROIT YOUTH DAY

● Mr. LEVIN. Madam President, it is with pride that I recognize the 29th Annual Metro Detroit Youth Day, which will take place tomorrow on Belle Isle in Detroit. This engaging and family-oriented event is a herculean undertaking, bringing together more than 1,600 volunteers to welcome more than 37,000 young people within the Greater Detroit community. This day-long event, which is sponsored by a multitude of businesses and more than 320 community and youth organizations across Michigan, provides a wonderful platform to bring the community together to award scholarships and recognize outstanding community service for and by young people.

From sports clinics to motivational talks to entertainment, this event has grown to become the largest youth event in Michigan, with a mission of promoting community service and the need for physical education and fitness. This event also seeks to inspire young people to strive to better themselves through education, good deeds and other positive means.

Through the years, Youth Day has been recognized by many on the State and national level. In 1991, Metro Youth Day was recognized by President George H.W. Bush as the 477th Point of Light, and in 1999, the Governor's Council on Physical Fitness, Health and Sports named Metro Youth Day the top youth event in Michigan. These honors are the direct result of the hard work and dedication of the many individuals, organizations and businesses that team up to make sure this event is rewarding and memorable for the many youth across the Detroit metro area that participate.

Inspiring young people to better themselves and fostering stronger community bonds are noble pursuits that reap rewards far into the future. I salute all those who have played a role in making this year's Metro Detroit Youth Day a tremendous success. This event has become a tradition in southeast Michigan over the last 28 years, and I look forward to hearing about this exciting celebration for many years to come.●

### PARKSTON, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize Parkston, SD. This year the town of Parkston will commemorate the 125th anniversary of its founding.

Located in Hutchinson County, Parkston was originally known as Dakota City and was located southeast of what is now Parkston. When the railroad was built, it did not run through Dakota City as expected. So the residents of Dakota City moved their buildings with teams of horses to where Parkston is currently located. Today Parkston is a growing community with many local shops and excellent health care and educations facilitates. It is also home to the Parkston Classic, a high school basketball tradition.

Parkston has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to extend my congratulations to the citizens of Parkston on this landmark date and wish them continued prosperity in the years to come.●

### VIBORG, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize Viborg, SD. This year the town of Viborg will commemorate the 125th anniversary of its founding.

Located in Turner County, Viborg was originally known as Daneville. It was named Daneville because it was a booming settlement of Danish immigrants. When the railroad was built, it did not run through Daneville but, rather, was located a half mile from the village. Residents relocated to the current location of Viborg, which was named for an ancient city in Denmark. Today, Viborg is a growing community and is well known for its annual Danish Days celebration, which celebrates the strong cultural heritage in Viborg.

Viborg has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Viborg on this landmark date and wish them continued prosperity in the years to come.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Health, Education, Labor, and Pensions.

(The nominations received today are printed at the end of the Senate proceedings.)

## MEASURES DISCHARGED

The following bill was discharged from the Committee on Energy and Natural Resources, and referred as indicated:

S. 869. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on Homeland Security and Governmental Affairs.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself, Mr. CONRAD, Mr. NELSON of Florida, Mr. SANDERS, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1346. A bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1347. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Massachusetts (for himself, Mr. LIEBERMAN, Mr. WEBB, Mr. INHOFE, Mr. CASEY, and Mr. BEGICH):

S. 1348. A bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on the Judiciary.

By Mr. JOHANNS:

S. 1349. A bill to amend the National Flood Insurance Act of 1968 to clarify the effective date of policies covering properties affected by floods in progress; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS (for himself, Mr. CRAPO, Mrs. MURRAY, and Mr. KIRK):

S. 1350. A bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 1351. A bill to promote the development, manufacturing, and use of advanced batteries, and for other purposes; to the Committee on Energy and Natural Resources.

## ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUYE, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 57, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels.

S. 170

At the request of Mrs. BOXER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 170, a bill to provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac.

S. 344

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 387

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 438

At the request of Ms. STABENOW, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 438, a bill to amend the Public Health Service Act to improve women's health by prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 506

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 697

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 971

At the request of Mr. THUNE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 971, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1035

At the request of Mr. CARPER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1035, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler systems as section 179 property and classify certain automated fire sprinkler systems as 15-year property for purposes of depreciation.

S. 1046

At the request of Mr. INHOFE, the names of the Senator from Idaho (Mr. RISCH), the Senator from Oklahoma (Mr. COBURN), the Senator from South Dakota (Mr. THUNE), the Senator from Massachusetts (Mr. BROWN), the Senator from Alabama (Mr. SESSIONS), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Mississippi (Mr. WICKER) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 1046, a bill to require the detention at United States Naval Station, Guantanamo Bay, Cuba, of high-value enemy combatants who will be detained long-term.

S. 1061

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1061, a bill to amend title 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109–416).

S. 1108

At the request of Mr. SANDERS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1108, a bill to provide local communities with tools to make solar permitting more efficient, and for other purposes.

S. 1188

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1188, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1200

At the request of Mr. SANDERS, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1200, a bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes.

S. 1225

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1225, a bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico.

S. 1231

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1231, a bill to reauthorize the Second Chance Act of 2007.

S. 1241

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1241, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 1250

At the request of Mr. BENNET, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1250, a bill to create and expand innovative teacher and principal preparation programs known as teacher and principal preparation academies.

S. 1299

At the request of Mr. MORAN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1341

At the request of Mr. SESSIONS, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1341, a bill to provide a point of order against consideration of any measure that would increase the statutory limit on the public debt above $14.294 trillion unless that measure has been publicly available for a full 7 calendar days before consideration on the floor of the Senate.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mr. CONRAD, Mr. NELSON of Florida, Mr. SANDERS, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1346. A bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, I am introducing today with my colleagues Senators CONRAD, BILL NELSON, SANDERS, SHAHEEN, and WHITEHOUSE, the Stop Tax Haven Abuse Act, legislation which is geared to stop the $100 billion yearly drain on the U.S. treasury caused by offshore tax abuses. Offshore tax abuses are not only undermining public confidence in our tax system, but widening the deficit and increasing the tax burden on middle America.

People are sick and tired of tax dodgers using offshore trickery and abusive tax shelters to avoid paying their fair share. This bill offers powerful new tools to combat those offshore and tax shelter abuses, raise revenues, and eliminate incentives to send U.S. profits and jobs offshore. Its provisions will hopefully be part of any deficit reduction package this year, but should be adopted in any event.

The bill is supported by a wide array of small business, labor, and public interest groups, including the Financial Accountability and Corporate Transparency, FACT, Coalition, American Sustainable Business Council, Business for Shared Prosperity, Main Street Alliance, AFL–CIO, SEIU, Citizens for Tax Justice, Tax Justice Network-USA, U.S. Public Interest Research Group, Global Financial Integrity, Global Witness, Jubilee USA, and Public Citizen.

Frank Knapp, president and CEO of the South Carolina Small Business Chamber of Commerce, has explained small business support for the bill this way:

> Small businesses are the lifeblood of local economies. We pay our fair share of taxes and generate most of the new jobs. Why should we be subsidizing U.S. multinationals that use offshore tax havens to avoid paying taxes? Big corporations benefit immensely from all the advantages of being headquartered in our country. It is time to end tax haven abuse and level the playing field.

The Stop Tax Haven Abuse Act is a product of the investigative work of the Permanent Subcommittee on Investigations which I chair. For more than 10 years, the Subcommittee has conducted inquiries into offshore abuses, including the use of offshore corporations and trusts to hide assets, the use of tax haven banks to set up secret accounts, and the use of U.S. bankers, lawyers, accountants and other professionals to devise and conduct abusive tax shelters. Over the years, we have learned a lot of the offshore tricks and have designed this bill to fight back by closing obnoxious offshore tax loopholes and strengthening offshore tax enforcement.

The 112th Congress is the fifth Congress in which I have introduced a comprehensive bill to combat offshore and tax shelter abuses. A number of provisions from past bills have made it into law, such as measures to curb abusive foreign trusts, close offshore dividend tax loopholes, and strengthen penalties on tax shelter promoters, but much more needs to be done.

The last Congress made significant progress in the offshore battle. We finally enacted into law the economic substance doctrine which authorizes courts to strike down phony business deals with no economic purpose other than to avoid the payment of tax. My past bills supported the economic substance doctrine, and its enactment into law is a victory many years in the making.

Last year also saw enactment of the Baucus-Rangel Foreign Account Tax Compliance Act or FATCA, which is a tough new law designed to flush out hidden offshore bank accounts. Foreign banks are currently engaged in a massive lobbying effort to weaken its disclosure requirements, but U.S. banks have had it with foreign banks using secrecy to attract U.S. clients and want those banks to have to meet the same disclosure requirements U.S. banks do. The Administration is so far resisting calls to water down the provisions.

President Obama, who when in the Senate cosponsored my bills in 2005 and 2007 to end tax haven abuses, is a long-time opponent of offshore tax evasion. He knows how fed up Americans are with tax dodgers who hide their money offshore, use complex tax shelters to thumb their nose at Uncle Sam, and offload their tax burden onto the backs of honest Americans.

The bottom line is that each of us has a legal and civil obligation to pay taxes, and most Americans fulfill that obligation. It is time to force the tax scofflaws, the tax dodgers, and the tax cheats to do the same, and end their misuse of offshore tax havens.

The bill I am introducing today is a stronger version of the Stop Tax Haven Abuse Act introduced in the last Congress. In addition to preserving the provisions from last year that have not yet been enacted into law, it contains several new measures to stop tax dodgers from taking advantage of middle Americans who play by the rules.

Among the bill's provisions are special measures to combat persons who impede U.S. tax enforcement; establishment of legal presumptions to overcome secrecy barriers; the treatment of offshore corporations as domestic corporations for tax purposes when controlled by U.S. persons; closing a tax loophole benefiting credit default swaps that send money offshore; closing another loophole that allows corporate deposits of foreign funds in U.S. accounts to be treated as nontaxable, unrepatriated foreign income; disclosure requirements for basic information on country-by-country tax payments by multinationals; and stronger penalties against tax shelter promoters and aiders and abettors of tax evasion.

Probably the biggest change in the bill from the last Congress is that it would no longer require Treasury to develop a list of offshore secrecy jurisdictions and then impose tougher requirements on U.S. taxpayers who use those jurisdictions. Instead, the bill would build on the Foreign Account Tax Compliance Act of 2010, by creating tougher disclosure, evidentiary, and enforcement consequences for U.S. persons who do business with foreign financial institutions that reject FATCA's call for disclosing accounts used by U.S. persons. By focusing on non-FATCA financial institutions instead of offshore secrecy jurisdictions, the bill relieves Treasury of a difficult task, while providing additional incentives for foreign banks to adopt FATCA's disclosure requirements.

Mr. President, I ask unanimous consent that a section by section analysis and a bill summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Section 101—Special Measures Where U.S. Tax Enforcement Is Impeded

The first section of the bill, Section 101, which is carried over from the last Congress, would allow the Treasury Secretary to apply an array of sanctions against any foreign jurisdiction or financial institution which the Secretary determined was impeding U.S. tax enforcement.

This provision has added significance now that Congress has enacted the Foreign Account Tax Compliance Act requiring foreign financial institutions with U.S. investments to disclose all accounts opened by U.S. persons or pay a hefty tax on their U.S. investment income. FATCA goes into effect in 2013, but some foreign financial institutions are saying that they will refuse to adopt FATCA's approach and will instead stop holding any U.S. assets. While that is their right, the question being raised by some foreign banks planning to comply with FATCA is what happens to non-FATCA institutions that take on U.S. clients and don't report the accounts to the United States. Right now, the U.S. government has no way to take effective action against foreign financial institutions that open secret accounts for U.S. tax evaders. Section 101 of our bill would change that by providing just the powerful new tool needed to stop non-FATCA institutions from facilitating U.S. tax evasion.

Section 101 is designed to build upon existing Treasury authority to take action against foreign financial institutions that engage in money laundering by extending that same authority to the tax area. In 2001, the Patriot Act gave Treasury the authority under 31 U.S.C. 5318A to require domestic financial institutions and agencies to take special measures with respect to foreign jurisdictions, financial institutions, or transactions found to be of ''primary money laundering concern.'' Once Treasury designates a foreign jurisdiction or financial institution to be of primary money laundering concern, Section 5318A allows Treasury to impose a range of requirements on U.S. financial institutions in their dealings with the designated entity—from requiring U.S. financial institutions, for example, to provide greater information than normal about transactions involving the designated entity, to prohibiting U.S. financial institutions from opening accounts for that foreign entity.

This Patriot Act authority has been used sparingly, but to telling effect. In some instances Treasury has employed special measures against an entire country, such as Burma, to stop its financial institutions from laundering funds through the U.S. financial system. More often, Treasury has used the authority surgically, against a single problem financial institution, to stop laundered funds from entering the United States. The provision has clearly succeeded in giving Treasury a powerful tool to protect the U.S. financial system from money laundering abuses.

The bill would authorize Treasury to use that same tool to require U.S. financial institutions to take the same special measures against foreign jurisdictions or financial institutions found by Treasury to be ''impeding U.S. tax enforcement.'' Treasury could, for example, in consultation with the IRS, the Secretary of State, and the Attorney General, require U.S. financial institutions that have correspondent accounts for a designated foreign bank to produce information on all of that foreign bank's customers. Alternatively, Treasury could prohibit U.S. financial institutions from opening accounts for a designated foreign bank, thereby cutting off that foreign bank's access to the U.S. financial system. These types of sanctions could be as effective in ending the worst tax haven abuses as they have been in curbing money laundering.

In addition to extending Treasury's ability to impose special measures against foreign entities impeding U.S. tax enforcement, the bill would add one new measure to the list of possible sanctions that could be applied: it would allow Treasury to instruct U.S. financial institutions not to authorize or accept credit card transactions involving a designated foreign jurisdiction or financial institution. Denying tax haven banks the ability to issue credit cards for use in the United States, for example, offers an effective new way to stop U.S. tax cheats from obtaining access to funds hidden offshore.

Section 102—Strengthening FATCA

Section 102 of the bill is a new section that seeks to clarify, build upon, and strengthen the Foreign Account Tax Compliance Act or FATCA, to flush out hidden foreign accounts and assets used by U.S. taxpayers to evade paying U.S. taxes. When the law becomes effective in 2013, it will require disclosure of account held by U.S. persons at foreign banks, broker-dealers, investment advisers, hedge funds, private equity funds, and other financial firms.

Some foreign financial institutions are likely to choose to forego all U.S. investments rather than comply with FATCA's disclosure rules. If some foreign financial institutions decide not to participate in the FATCA system, that's their business. But if U.S. taxpayers start using those same foreign financial institutions to hide assets and evade U.S. taxes to the tune of $100 billion per year, that's our business. The United States has a right to enforce our tax laws and to expect that financial institutions will not assist U.S. tax cheats.

Section 101 of the bill would provide U.S. authorities with a way to take direct action against foreign financial institutions that decide to operate outside of the FATCA system and allow U.S. clients to open hidden accounts. If the U.S. Treasury determines that such a foreign financial institution is impeding U.S. tax enforcement, Section 101 would give U.S. authorities a menu of special measures that could be taken in response, including by prohibiting U.S. banks from doing business with that institution.

Section 102, in contrast, does not seek to take action against a non-FATCA institution, but instead seeks to strengthen tax enforcement efforts with respect to the U.S. persons taking advantage of the non-disclosure practices at non-FATCA institutions. Section 102 would also clarify when foreign financial institutions are obligated to disclose accounts to the United States under FATCA.

Background. In 2006, the Permanent Subcommittee on Investigations released a report with six case histories detailing how U.S. taxpayers were using offshore tax havens to avoid payment of the taxes they owed. These case histories examined an Internet-based company that helped persons obtain offshore entities and accounts; U.S. promoters that designed complex offshore structures to hide client assets, even providing clients with a how-to manual for going offshore; U.S. taxpayers who diverted business income offshore through phony loans and invoices; a one-time tax dodge that deducted phantom offshore stock losses from real U.S. stock income to shelter that income from U.S. taxes; and a 13-year offshore network of 58 offshore trusts and corporations built by American brothers Sam and Charles Wyly. Each of these case histories presented the same fact pattern in which the U.S. taxpayer, through lawyers, banks, or other representatives, set up offshore trusts, corporations, or other entities which had all the trappings of independence but, in fact, were controlled by the U.S. taxpayer whose directives were implemented by compliant offshore personnel acting as the trustees, officers, directors or nominee owners of the offshore entities.

In the case of the Wylys, the brothers and their representatives communicated Wyly directives to a so-called trust protector who then relayed the directives to the offshore trustees. In the 13 years examined by the Subcommittee, the offshore trustees never once rejected a Wyly request and never once initiated an action without Wyly approval. They simply did what they were told. A U.S. taxpayer in another case history told the Subcommittee that the offshore personnel who nominally owned and controlled his offshore entities, in fact, always followed his directions, describing himself as the ''puppet master'' in charge of his offshore holdings.

When the Subcommittee discussed these case histories with financial administrators from the Isle of Man, the regulators explained that none of the offshore personnel were engaged in any wrongdoing, because their laws permit foreign clients to transmit detailed, daily instructions to offshore service providers on how to handle offshore assets, so long as it is the offshore trustee or corporate officer who gives the final order to buy or sell the assets. They explained that, under their law, an offshore entity is considered legally independent from the person directing its activities so long as that person follows the form of transmitting ''requests'' to the offshore personnel who retain the formal right to make the decisions, even though the offshore personnel always do as they are asked.

The Subcommittee case histories illustrate what the tax literature and law enforcement experience have shown for years: that the business model followed in all offshore secrecy jurisdictions is for compliant trustees, corporate administrators, and financial institutions to provide a veneer of independence while ensuring that their U.S. clients retain complete and unfettered control over ''their'' offshore assets. That's the standard operating procedure offshore. Offshore service providers pretend to own or control the offshore trusts, corporations, and accounts they help establish, but what they really do is whatever their clients tell them to do.

Rebuttable Evidentiary Presumptions. The reality behind these offshore practices makes a mockery of U.S. laws that normally view trusts and corporations as independent actors. They invite game-playing and tax evasion. To combat these abusive offshore practices, Section 102(g) of the bill would implement a bipartisan recommendation in the 2006 report by establishing several rebuttable evidentiary presumptions that would presume U.S. taxpayer control of offshore entities that they form or do business with, unless the U.S. taxpayer presents clear and convincing evidence to the contrary.

The presumptions would apply only in civil, judicial, or administrative tax or securities enforcement proceedings examining offshore entities or transactions. They would place the burden of producing evidence from offshore jurisdiction on the taxpayer who chose to do business in those jurisdictions and who has access to the information, rather than on the federal government which has little or no practical ability to get the information.

Section 102(g)(1) would establish three evidentiary presumptions that could be used in a civil tax enforcement proceeding. First is a presumption that a U.S. taxpayer who ''formed, transferred assets to, was a beneficiary of, had a beneficial interest in, or received money or property or the use thereof'' from an offshore entity, such as a trust or corporation, controls that entity. Second is a presumption that funds or other property received from offshore are taxable income, and that funds or other property transferred offshore have not yet been taxed. Third is a presumption that a financial account controlled by a U.S. taxpayer in a foreign country contains enough money—$10,000—to trigger an existing statutory reporting threshold and allow the IRS to assert the minimum penalty for nondisclosure of the account by the taxpayer.

Section 102(g)(2) would establish two evidentiary presumptions applicable to civil proceedings to enforce U.S. securities laws. The first would specify that if a director, officer, or major shareholder of a U.S. publicly traded corporation were associated with an offshore entity, that person would be presumed to control that offshore entity. The second presumption would provide that securities nominally owned by an offshore entity are presumed to be beneficially owned by any U.S. person who controlled that offshore entity.

All of these presumptions are rebuttable, which means that the U.S. person who is the subject of the proceeding could provide clear and convincing evidence to show that the presumptions were factually inaccurate. To rebut the presumptions, a taxpayer could establish, for example, that an offshore corporation really was controlled by an independent third party, or that money sent from an offshore account really represented a nontaxable gift instead of taxable income. If the taxpayer wished to introduce evidence from a foreign person, such as an offshore banker, corporate officer, or trust administrator, to establish those facts, that foreign person would have to actually appear in the U.S. proceeding in a manner that would permit cross examination.

The bill also includes several limitations on the presumptions to ensure their operation is fair and reasonable. First, criminal cases would not be affected by this bill which would apply only to civil proceedings. Second, because the presumptions apply only in enforcement ''proceedings,'' they would not directly affect, for example, a person's reporting obligations on a tax return or SEC filing. The presumptions would come into play only if the IRS or SEC were to challenge a matter in a formal proceeding. Third, the bill would not apply the presumptions to situations where either the U.S. person or the offshore entity is a publicly traded company, because in those situations, even if a transaction were abusive, IRS and SEC officials are generally able to obtain access to necessary information. Fourth, the bill recognizes that certain classes of offshore transactions, such as corporate reorganizations, may not present a potential for abuse, and accordingly authorizes Treasury and the SEC to issue regulations or guidance identifying such classes of transactions, to which the presumptions would not apply.

An even more fundamental limitation on the presumptions is that they would apply only to U.S. persons who directly or through an offshore entity choose to do business with a ''non-FATCA institution,'' meaning a foreign financial institution which has not adopted the FATCA disclosure requirements and instead takes advantage of banking, corporate, and tax secrecy laws and practices that make it very difficult for U.S. tax authorities to detect financial accounts benefiting U.S. persons.

FATCA's disclosure requirements were designed to combat offshore secrecy and flush out hidden accounts being used by U.S. persons to evade U.S. taxes. Section 102(g) would continue the fight by allowing federal authorities to benefit from rebuttable presumptions regarding the control, ownership, and assets of offshore entities that open accounts at financial institutions outside the FATCA disclosure system. These presumptions would allow U.S. law enforcement to establish what we all know from experience is normally the case in an offshore jurisdiction—that a U.S. person associated with an offshore entity controls that entity; that money and property sent to or from an offshore entity involves taxable income; and that an offshore account that hasn't been disclosed to U.S. authorities should be made subject to inspection. U.S. law enforcement can establish those facts presumptively, without having to pierce the secrecy veil. At the same time, U.S. persons who chose to transact their affairs through accounts at a non-FACTA institution are given the opportunity to lift the veil of secrecy and demonstrate that the presumptions are factually wrong. These rebuttable evidentiary presumptions will provide U.S. tax and securities law enforcement with powerful new tools to shut down tax haven abuses.

FATCA Disclosure Obligations. In addition to establishing presumptions, Section 102 would make several changes to clarify and strengthen FATCA's disclosure obligations.

Section 102(b) would amend 26 U.S.C. Section 1471 to make it clear that the types of financial accounts that must be disclosed by foreign financial institutions under FATCA include not just savings, money market, or securities accounts, but also transaction accounts that some banks might claim are not depository accounts, such as checking accounts. The section would also make it clear that financial institutions could not omit from their disclosures client assets in the form of derivatives, including swap agreements.

Section 102(c) would amend 26 U.S.C. 1472 to clarify when a withholding agent ''knows or has reason to know'' that an account is directly or indirectly owned by a U.S. person and must be disclosed to the United States. The bill provision would make it clear that the withholding agent would have to take into account information obtained as the result of ''any customer identification, anti-money laundering, anti-corruption, or similar obligation to identify accountholders.'' In other words, if a foreign bank knows, as a result of due diligence inquiries made under its anti-money laundering program, that an non-U.S. corporation was beneficially owned by a U.S. person, the foreign bank would have to report that account to the IRS—it could not treat the offshore corporation as a non-U.S. customer. That approach is already implied in the statutory language, but this amendment would make it crystal clear.

Section 102(c) would also amend the law to make it clear that the Treasury Secretary, when exercising authority under FATCA to waive disclosure or withholding requirements for non-financial foreign entities, can waive those requirements for only for a class of entities which the Secretary identifies as ''posing a low risk of tax evasion.'' A variety of foreign financial institutions are pressing Treasury to issue waivers under Section 1472, and this amendment would make it clear that such waivers are possible only when the risk of tax evasion is minimal.

Section 102(d) would amend 26 U.S.C. 1473 to clarify that the definition of ''substantial United States owner'' includes U.S. persons who are beneficial owners of corporations or the beneficial owner of an entity that is one of the partners in a partnership. While the current statutory language already implies that beneficial owners are included, this amendment would leave no doubt.

Section 102(e) would amend 26 U.S.C. 1474 to make two exceptions to the statutory provision which makes account information disclosed to the IRS by foreign financial institutions under FATCA confidential tax return information. The first exception would allow the IRS to disclose the account information to federal law enforcement agencies, including the SEC and bank regulators, investigating possible violations of U.S. law. The second would allow the IRS to disclose the name of any foreign financial institution whose disclosure agreement under FATCA was terminated, either by the institution, its government, or the IRS. Financial institutions should not be able to portray themselves as FATCA institutions if, in fact, they are not.

Section 102(f) would amend 26 U.S.C. 6038D, which creates a new tax return disclosure obligation for U.S. taxpayers with interests in ''specified foreign financial assets,'' to clarify that the disclosure requirement applies not only to persons who have a direct or nominal ownership interest in those foreign financial assets, but also to persons who have a beneficial, meaning real, ownership interest in them. While the existing statutory language implies this broad reporting obligation, the amendment would make it clear.

Finally, Section 102(a) would amend a new annual tax return obligation established in 26 U.S.C. 1298(f) for passive foreign investment companies (PFICs). PFICs are typically used as holding companies for foreign assets held by U.S. persons, and the intent of the new Section 1298(f) is to require all PFICs to begin filing annual informational tax returns with the IRS. The current statutory language, however, limits the disclosure obligation to any U.S. person who is a ''shareholder'' in a PFIC, and does not cover PFICs whose shares may be nominally held by an offshore corporation or trust, but beneficially owned by a U.S. person. The bill provision would broaden the PFIC reporting requirement to apply to any U.S. person who ''directly or indirectly, forms, transfers assets to, is a beneficiary of, has a beneficial interest in, or receives money or property or the use thereof'' from a PFIC. That broader formulation of who should file the new PFIC annual tax return would ensure that virtually all PFICs associated with U.S. persons will begin filing informational returns with the IRS.

Section 103—Corporations Managed and Controlled in the United States

Section 103 of the bill focuses on corporations which claim foreign status—often in a tax haven jurisdiction—in order to avoid payment of U.S. taxes, but then operate right here in the United States in direct competition with domestic corporations that are paying their fair share.

This offshore game is all too common. In 2008, the Senate Finance Committee held a hearing describing a trip made by GAO to the Cayman Islands to look at the infamous Ugland House, a five-story building that is the official address for over 18,800 registered companies. GAO found that about half of the alleged Ugland House tenants—around 9,000 entities—had a billing address in the United States and were not actual occupants of the building. In fact, GAO determined that none of the companies registered at the Ugland House was an actual occupant. GAO found that the only true occupant of the building was a Cayman law firm, Maples and Calder.

Here's what the GAO wrote:

''Very few Ugland House registered entities have a significant physical presence in the Cayman Islands or carry out business in the Cayman Islands. According to Maples and Calder partners, the persons establishing these entities are typically referred to Maples by counsel from outside the Cayman Islands, fund managers, and investment banks. As of March 2008 the Cayman Islands Registrar reported that 18,857 entities were registered at the Ugland House address. Approximately 96 percent of these entities were classified as exempted entities under Cayman Islands law, and were thus generally prohibited from carrying out domestic business within the Cayman Islands.''

Section 103 of the bill is designed to address the Ugland House problem. It focuses on the situation where a corporation is incorporated in a tax haven as a mere shell operation with little or no physical presence or employees in the jurisdiction. The shell entity pretends it is operating in the tax haven, even though its key personnel and decisionmakers are in the United States. The objective of this set up is to enable the owners of the shell entity to take advantage of all of the benefits provided by U.S. legal, educational, financial, and commercial systems, and at the same time avoid paying U.S. taxes.

My Subcommittee has seen numerous companies exploit this situation, declaring themselves to be foreign corporations, even though they really operate out of the United States. For example, thousands of hedge funds whose financial experts live in Connecticut, New York, Texas, or California play this game to escape taxes and avoid regulation. In an October 2008 Subcommittee hearing, three sizeable hedge funds, Highbridge Capital which is associated with JPMorgan Chase, Angelo Gordon, and Maverick Capital, admitted that, although all they claimed to be based in the Cayman Islands, none had an office or a single full time employee in that jurisdiction. Instead, their offices and key decisionmakers were located and did business right here in the United States.

According to a recent Wall Street Journal article, over 20 percent of the corporations that made initial public offerings or IPOs in the United States in 2010 and so far in 2011, have been incorporated in Bermuda or the Cayman Islands, but also described themselves to investors as based in another country, including the United States. The article also described how Samsonite, a Denver-based company, reincorporated in Luxembourg before going public. Too many of these tax-haven incorporations appear to be a deliberate effort to take advantage of U.S. benefits, while dodging U.S. taxation and undercutting U.S. competitors who pay their taxes.

Section 103 would put an end to such corporate fictions and offshore tax dodging. It provides that if a corporation is publicly traded or has aggregate gross assets of $50 million or more, and its management and control occurs primarily in the United States, that corporation will be treated as a U.S. domestic corporation for income tax purposes.

To implement this provision, Treasury is directed to issue regulations to guide the determination of when management and control occur primarily in the United States, looking at whether ''substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States.''

This new section relies on the same principles regarding the true location of ownership and control of a company that underlie the corporate inversion rules adopted in the American Jobs Creation Act of 2005. Those inversion rules, however, do not address the fact that some entities directly incorporate in foreign countries and manage their businesses activities from the United States. Section 103 would level the playing field and ensure that entities which incorporate directly in another country are subject to a similar management and control test. Section 103 is also similar in concept to the substantial presence test in the income tax treaty between the United States and the Netherlands, which looks to the primary place of management and control to determine corporate residency.

Section 103 would provide an exception for foreign corporations with U.S. parents. This exception from the $50 million gross assets test recognizes that, within a multinational operation, strategic, financial, and operational decisions are often made from a global or regional headquarters location and then implemented by affiliated foreign corporations. Where such decisions are undertaken by a parent corporation that is actively engaged in a U.S. trade or business and is organized in the United States—and is, therefore, already a domestic corporation—the bill generally would not override existing U.S. taxation of international operations. At the same time, the exception makes it clear that the mere existence of a U.S. parent corporation is not sufficient to shield a foreign corporation from also being treated as a domestic corporation under this section. The section would also create an exception for private companies that once met the section's test for treatment as a domestic corporation but, during a later tax year, fell below the $50 million gross assets test, do not expect to exceed that threshold again, and are granted a waiver by the Treasury Secretary.

Section 103 contains specific language to stop the outrageous tax dodging that now goes on by too many hedge funds and investment management businesses that structure themselves to appear to be foreign entities, even though their key decisionmakers—the folks who exercise control of the company, its assets, and investment decisions—live and work in the United States. It is unacceptable that such companies utilize U.S. offices, personnel, laws, and markets to make their money, but then stiff Uncle Sam and offload their tax burden onto competitors who play by the rules.

To put an end to this charade, Section 103 specifically directs Treasury regulations to specify that, when investment decisions are being made in the United States, the management and control of that corporation shall be treated as occurring primarily in the United States, and that corporation shall be subject to U.S. taxes in the same manner as any other U.S. corporation.

If enacted into law, Section 103 would put an end to the unfair situation where some U.S.-based companies pay their fair share of taxes, while others who set up a shell corporation in a tax haven are able to defer or escape taxation, despite the fact that their foreign status is nothing more than a paper fiction.

Section 104—Increased Disclosure of Offshore Accounts and Entities

Offshore tax abuses thrive in secrecy. Section 104(a) attempts to pierce that secrecy by creating two new disclosure mechanisms requiring third parties to report on offshore transactions undertaken by U.S. persons. The first disclosure mechanism focuses on U.S. financial institutions that open a U.S. account in the name of an offshore entity, such as an offshore trust or corporation, and learn from an anti-money laundering due diligence review, that a U.S. person is the beneficial owner behind that offshore entity. In the Wyly case history examined by the Subcommittee, for example, three major U.S. financial institutions opened dozens of accounts for offshore trusts and corporations which they knew were associated with the Wyly family.

Under current anti-money laundering law, all U.S. financial institutions are supposed to know who is behind an account opened in the name of, for example, an offshore shell corporation or trust. They are supposed to obtain this information to safeguard the U.S. financial system against misuse by terrorists, money launderers, and other criminals.

Under current tax law, a bank or securities broker that opens an account for a U.S. person is also required to give the IRS a 1099 form reporting any capital gains or other reportable income earned on the account. However, the bank or securities broker need not file a 1099 form if the account is owned by a foreign entity not subject to U.S. tax law. Problems arise when an account is opened in the name of an offshore entity that is nominally not subject to tax, but which the bank or broker knows, from its anti-money laundering review, is owned or controlled by a U.S. person who is subject to tax. The U.S. person should be filing a tax return with the IRS reporting the income of the ''controlled foreign corporation.'' However, since he or she knows it is difficult for the IRS to connect an offshore accountholder to a particular taxpayer, the U.S. person may feel safe in not reporting that income. That complacency might change, however, if the U.S. person knew that the bank or broker who opened the account and learned of the connection had a legal obligation to report any account income to the IRS.

Under current law, the way the regulations are written and typically interpreted, the bank or broker can treat an account opened in the name of a foreign corporation as an account that is held by an independent entity that is separate from the U.S. person, even if it knows that the foreign corporation is acting merely as a screen to hide the identity of the U.S. person, who exercises complete authority over the corporation and benefits from any income earned on the account. Many banks and brokers contend that the current regulations impose no duty on them to file a 1099 or other form disclosing that type of account to the IRS.

The bill would strengthen current law by expressly requiring a bank or broker that knows, as a result of its anti-money laundering due diligence or otherwise that a U.S. person is the beneficial owner of a foreign entity that opened an account, to disclose that account to the IRS by filing a 1099 or equivalent form reporting the account income. This reporting obligation would not require banks or brokers to gather any new information—financial institutions are already required to perform anti-money laundering due diligence for accounts opened by offshore shell entities. The bill would instead require U.S. financial institutions to act on what they already know by filing the relevant form with the IRS.

This section would require such reports to the IRS from two sets of financial institutions. The first set are financial institutions which are located and do business in the United States. The second set is foreign financial institutions which are located and do business outside of the United States, but are voluntary participants in either the FATCA or Qualified Intermediary Program, and have agreed to provide information to the IRS about certain accounts. Under this section, if a foreign financial institution has an account under the FATCA or QI Program, and the accountholder is a non-U.S. entity that is controlled or beneficially owned by a U.S. person, then that foreign financial institution would have to report any reportable assets or income in that account to the IRS.

The second disclosure mechanism created by Section 104(a) targets U.S. financial institutions that open foreign bank accounts for U.S. clients at non-FATCA institutions, meaning foreign financial institutions that have not agreed under FATCA to disclose to the IRS the accounts they open for U.S. persons. Past Subcommittee investigations have found that some U.S. financial institutions help their U.S. clients both to form offshore entities and to open foreign bank accounts for those entities, so that their clients do not even need to leave home to set up an offshore structure. Since non-FATCA institutions, by definition, have no obligation to disclose the accounts to U.S. authorities, Section 104(a) would instead impose that disclosure obligation on the U.S. financial institution that helped set up the account for its U.S. client.

Section 104(b) imposes the same penalties for the failure to report such accounts as apply to the failure to meet other reporting obligations of withholding agents.

Section 105—CDS Loophole

Section 105 of the bill targets a tax loophole benefiting credit default swaps, which I call the CDS loophole.

A CDS in simple terms is a financial bet about whether a company, a loan, a bond, a mortgage backed security, or some other financial instrument or arrangement will default or experience some other defined ''credit event'' during a specified period of time. The CDS buyer bets that the default or other credit event will happen, while the CDS seller bets it won't. The CDS buyer typically makes a series of payments to the seller over a specified period of time in exchange for a promise that, if a default or other credit event takes place during the covered period, the seller will make a bigger payoff to the buyer. In some cases, CDS buyers and sellers also agree to make payments to each other over the course of the covered period as the CDS rises or falls in value according to whether a credit event looks more or less likely.

Five years ago, few people outside of financial circles had ever heard of a credit default swap, but we all learned more than we wanted to during the financial crisis when CDS disasters brought down storied financial firms and almost pushed the U.S. financial system over the cliff. We found out there is now a $30 trillion CDS market worldwide, and that virtually all U.S. financial players engage in CDS transactions. And credit default swaps continue to play a role in financial crises around the world, from Greece to Ireland to Portugal.

Well it turns out there's a tax angle which promotes not only CDS gambling, but also offshore finagling. That's because U.S. tax regulations currently allow CDS payments that are sent from the United States to someone offshore to be treated as non-taxable, non-U.S. source income. Let me repeat that. CDS payments sent from the United States are now deemed non-U.S. source income to the recipient for tax purposes. That's because current regs deem the ''source'' of the CDS payment to be where the payment ends up—exactly the opposite of the normal definition of the word ''source.''

Well, you can imagine the use that some hedge funds that operate here in the United States, but are incorporated offshore and maintain post office boxes and bank accounts in tax havens, may be making of that tax loophole. They can tell their CDS counterparties to send any CDS payments to their offshore post box or bank account, tell Uncle Sam that those payments are legally considered non-U.S. source income, and bank the CDS payments as foreign income immune to U.S. tax. Hedge funds are likely far from alone in sheltering their CDS income from taxation by sending it offshore. Banks, securities firms, other financial firms, and a lot of commercial firms may be doing the same thing.

Our bill would shut down that offshore game simply by recognizing reality—that CDS payments sent from the United States are U.S. source income subject to taxation.

Section 106—Foreign Subsidiary Deposits Loophole

Section 106 of the bill would take on another type of offshore trickery, closing what I call the foreign subsidiary deposits loophole.

Right now, U.S. corporations report holding substantial funds offshore, in the range of $1 trillion in accumulated undistributed earnings. Some of that cash is the result of legitimate foreign business operations, such as plants, stores, or restaurant chains located in other countries. Some of it is the result of transfer pricing arrangements that moved the funds out of the United States with varying degrees of legitimacy. But regardless of how or why the funds are outside of the United States, U.S. corporations generally do not pay taxes on them, invoking tax code provisions that allow them to defer taxation of foreign income as long as those funds are not brought back—repatriated—to the United States.

But we need to look closer at the corporations claiming that their funds are offshore. In some cases, those so-called offshore funds are apparently being held in U.S. dollars in U.S. bank and securities accounts located right here in the United States.

One easy way for that to happen is for a U.S. corporation to direct its foreign subsidiary to deposit its foreign earnings at a foreign bank, let's say in the Cayman Islands, and ask the Cayman bank to convert any foreign currency into U.S. dollars. The Cayman bank typically complies by opening a U.S. dollar account at a U.S. bank. When one bank opens an account at another bank, the account is generally referred to as a correspondent account.

So the Cayman bank opens a correspondent account at a U.S. bank, deposits the funds belonging to the foreign subsidiary of the U.S. corporation, converts the funds into U.S. dollars, and perhaps even invests those dollars in an overnight or money market account or certificate of deposit to earn interest on the money. The U.S. corporation or its foreign subsidiary could even direct the Cayman bank to invest the U.S. dollars in U.S. securities, which the Cayman bank could do by opening a correspondent account at a U.S. securities firm, depositing the corporate dollars, and directing those dollars to be used to buy stocks or bonds. Again, the correspondent account would be in the name of the Cayman bank rather than in the name of the U.S. corporation or its foreign subsidiary, although the funds involved are beneficially owned by the corporate client.

The end result is that the U.S. corporation's offshore funds aren't really offshore at all. They are sitting in a U.S. bank or securities firm right here in the United States. The U.S. corporation is getting the benefit of using U.S. dollars, the safest currency in the world. It is also getting the benefit of using U.S. financial institutions, sending funds through U.S. wire transfer networks, and investing in U.S. financial markets, all without paying a dime of income taxes.

Our bill would put an end to the fiction that corporate funds deposited in U.S. financial accounts somehow still qualify as offshore funds that have not been repatriated to the United States. Instead, the bill would recognize the reality that the funds are in the United States and are no longer immune to taxation. It would do so by treating any funds that have been deposited by or on behalf of a foreign subsidiary in an account physically located in the United States as a taxable distribution by that foreign subsidiary to its U.S. parent.

If U.S. corporations want to defer U.S. taxation on their foreign income by keeping that income offshore, then they should have to actually keep those funds outside of the United States. If they bring that income here to the United States to seek the protections and benefits of having it deposited in U.S. currency at U.S. financial institutions, then those deposits should be treated as repatriated and subject to the same taxes that other domestic corporations pay.

Section 201—Country-by-Country Reporting

Section 201 of the bill would tackle the problem of offshore secrecy that currently surrounds most multinational corporations by requiring them to provide basic information on a country-by-country basis to the investing public and government authorities.

Many multinationals today are complex businesses with sprawling operations that cross multiple international boundaries. In many cases, no one outside of the corporations themselves knows much about what a particular corporation is doing on a per country basis or how its country-specific activities fit into the corporation's overall performance, planning, and operations.

The lack of country-specific information deprives investors of key data to analyze a multinational's financial health, exposure to individual countries' problems, and worldwide operations. There is also a lack of information to evaluate tax revenues on a country-specific basis to combat tax evasion, financial fraud, and corruption by government officials.

The lack of country-specific information also impedes efficient tax administration, leaving tax authorities unable to effectively analyze transfer pricing arrangements, foreign tax credits, business arrangements that attempt to play one country off another to avoid taxation, and illicit tactics to move profits to tax havens.

The bill would assist investors and tax administrators by requiring corporations that are registered with the Securities and Exchange Commission to provide basic information concerning their operations on a country-by-country basis. This basic information would be the approximate number of their employees per country, total amount of sales and purchases involving related and third parties, total amount of financing arrangements with related and third parties; and the total amount of tax obligations and actual tax payments made on a per country basis. This information would have to be furnished to the SEC as part of the corporation's existing SEC filings.

The bill requires disclosure of basic data that most multinational corporations would already have. The data wouldn't be burdensome to collect; it's just information that isn't routinely released by many multinationals. It's time to end the secrecy that now enables too many multinationals to run circles around tax administrators.

In the case of the United States, the value of country-by-country data becomes apparent after reading a recent article by Professor Kimberly Clausing who estimated that, in 2008 alone, ''the income shifting of multinational firms reduced U.S. government corporate tax revenue by about $90 billion,'' which was ''approximately 30 percent of corporate tax revenues.'' Think about that. Incoming shifting—in which multinationals use various tactics to shift income to tax havens to escape U.S. taxes—is responsible for $90 billion in unpaid taxes in a single year. Over ten years, that translates into $900 billion—nearly a trillion dollars. It is unacceptable to allow that magnitude of nonpayment of corporate taxes to continue year after year in light of the mounting deficits facing this country.

IRS data shows that the overall share of federal taxes paid by U.S. corporations has fallen dramatically, from 32% in 1952, to about 9% in 2009, the last year in which data is available. A 2008 report by the Government Accountability Office found that, over an eight-year period, about 1.2 million U.S. controlled corporations, or 67% of the corporate tax returns filed, paid no federal corporate income tax at all, despite total gross receipts of $2.1 trillion. At the same time corporations are dodging payment of U.S. taxes, corporate misconduct is continuing to drain the U.S. treasury of billions upon billions of taxpayer dollars to combat mortgage fraud, oil spills, bank bailouts, and more.

Corporate nonpayment of tax involves a host of issues, but transfer pricing and offshore tax dodging by multinationals is a big part of the problem. Section 201 of the bill would take the necessary first step to stop multinational corporations from continuing to dodge payment of U.S. taxes through offshore trickery by requiring them to disclose basic corporate data on a country-by-country basis.

Section 202—$1 Million Penalty for Hiding Offshore Stock Holdings

In addition to tax abuses, the 2006 Subcommittee investigation into the Wyly case history uncovered a host of troubling transactions involving U.S. securities held by the 58 offshore trusts and corporations associated with the two Wyly brothers. Over the course of a number of years, the Wylys had obtained about $190 million in stock options as compensation from three U.S. publicly traded corporations at which they were directors and major shareholders. Over time, the Wylys transferred these stock options to the network of offshore entities they had established.

The investigation found that, for years, the Wylys had generally failed to report the offshore entities' stock holdings or transactions in their filings with the Securities and Exchange Commission (SEC). They did not report these stock holdings on the ground that the 58 offshore trusts and corporations functioned as independent entities, even though the Wylys continued to direct the entities' investment activities. The public companies where the Wylys were corporate insiders also failed to include in their SEC filings information about the company shares held by the offshore entities, even though the companies knew of their close relationship to the Wylys, that the Wylys had provided the offshore entities with significant stock options, and that the offshore entities held large blocks of the company stock. On other occasions, the public companies and various financial institutions failed to treat the shares held by the offshore entities as affiliated stock, even though they were aware of the offshore entities' close association with the Wylys. The investigation found that, because both the Wylys and the public companies had failed to disclose the holdings of the offshore entities, for 13 years federal regulators had been unaware of those stock holdings and the relationships between the offshore entities and the Wyly brothers.

Corporate insiders and public companies are already obligated by current law to disclose stock holdings and transactions of offshore entities affiliated with a company director, officer, or major shareholder. In fact, in 2010, the SEC filed a civil complaint against the Wylys in connection with their hidden offshore holdings and alleged insider trading. Current penalties, however, appear insufficient to ensure compliance in light of the low likelihood that U.S. authorities will learn of transactions that take place in an offshore jurisdiction. To address this problem, Section 202 of the bill would establish a new monetary penalty of up to $1 million for persons who knowingly fail to disclose offshore stock holdings and transactions in violation of U.S. securities laws.

Sections 203 and 204—Anti-Money Laundering Programs

The Subcommittee's 2006 investigation showed that the Wyly brothers used two hedge funds and a private equity fund controlled by them to funnel millions of untaxed offshore dollars into U.S. investments. Other Subcommittee investigations provide extensive evidence of the role played by U.S. formation agents in assisting U.S. persons to set up offshore structures as well as U.S. shell companies later used in illicit activities, including money laundering, terrorism, tax evasion, and other misconduct. Because hedge funds, private equity funds, and formation agents are as vulnerable as other financial institutions to money launderers seeking entry into the U.S. financial system, the bill contains two provisions aimed at ensuring that these groups know their clients and do not accept or transmit suspect funds into the U.S. financial system.

Currently, many unregistered investment companies, such as hedge funds and private equity funds, transmit substantial offshore funds into the United States, yet are not required by law to have anti-money laundering programs, including Know-Your-Customer due diligence procedures and procedures to file suspicious activity reports. There is no reason why this sector of our financial services industry should continue to serve as a gateway into the U.S. financial system for substantial funds that could be connected to tax evasion, terrorist financing, money laundering, or other misconduct.

Nine years ago, in 2002, the Treasury Department proposed anti-money laundering regulations for these companies, but never finalized them. In 2008, the Department withdrew them with no explanation. Section 203 of the bill would require Treasury to issue final anti-money laundering regulations for unregistered investment companies within 180 days of the enactment of the bill. Treasury would be free to draw upon its 2002 proposal, but the bill would also require the final regulations to direct hedge funds and private equity funds to exercise due diligence before accepting offshore funds and to comply with the same procedures as other financial institutions if asked by federal regulators to produce records kept offshore.

In addition, Section 204 of the bill would add formation agents to the list of persons with anti-money laundering obligations. For the first time, those engaged in the business of forming corporations and other entities, both offshore and in the 50 States, would be responsible for knowing who their clients were and avoiding suspect funds. The bill also directs Treasury to develop anti-money laundering regulations for this group. Treasury's key anti-money laundering agency, the Financial Crimes Enforcement Network, testified before the Subcommittee in 2006, that it was considering drafting such regulations but five years later has yet to do so. Section 204 also creates an exemption for government personnel and for attorneys who use paid formation agents when forming entities for their clients. Since paid formation agents would already be subject to anti-money laundering obligations under the bill, there would be no reason to simultaneously subject attorneys using their services to the same anti-money laundering requirements.

We expect and intend that, as in the case of all other entities required to institute anti-money laundering programs, the regulations issued in response to this bill would instruct hedge funds, private equity funds, and formation agents to adopt risk-based procedures that would concentrate their due diligence efforts on clients that pose the highest risk of money laundering.

Section 205—IRS John Doe Summons

Section 205 of the bill focuses on an important tool used by the IRS in recent years to uncover taxpayers involved in offshore tax schemes, known as John Doe summons. Section 205 would make three technical changes to make the use of John Doe summons more effective in offshore and other complex investigations.

A John Doe summons is an administrative IRS summons used to request information in cases where the identity of a taxpayer is unknown. In cases involving a known taxpayer, the IRS may issue a summons to a third party to obtain information about the U.S. taxpayer, but must also notify the taxpayer who then has 20 days to petition a court to quash the summons to the third party. With a John Doe summons, however, IRS does not have the taxpayer's name and does not know where to send the taxpayer notice, so the statute substitutes a procedure in which the IRS must instead apply to a court for advance permission to serve the summons on the third party. To obtain approval of the summons, the IRS must show the court, in public filings to be resolved in open court, that: (1) the summons relates to a particular person or ascertainable class of persons, (2) there is a reasonable basis for concluding that there is a tax compliance issue involving that person or class of persons, and (3) the information sought is not readily available from other sources.

In recent years, the IRS has used John Doe summonses to try to obtain information about taxpayers operating in offshore secrecy jurisdictions. For example, the IRS obtained court approval to serve a John Doe summons on a Swiss bank, UBS AG, to obtain the names of tens of thousands of U.S. clients who opened UBS accounts in Switzerland without disclosing those accounts to the IRS. This landmark effort to overcome Swiss secrecy laws not only led to the bank's turning over thousands of U.S. client names to the United States, but also to abandon the country's longtime stance of using its secrecy rules to protect U.S. tax evaders. In earlier years, the IRS obtained court approval to issue John Doe summonses to credit card associations, credit card processors, and credit card merchants, to collect information about taxpayers using credit cards issued by offshore banks. This information led to many successful cases in which the IRS identified funds hidden offshore and recovered unpaid taxes.

Currently, however, use of the John Doe summons process is time consuming and expensive. For each John Doe summons involving an offshore secrecy jurisdiction, the IRS has had to establish in court that the involvement of accounts and transactions in offshore secrecy jurisdictions meant there was a significant likelihood of tax compliance problems. To relieve the IRS of the need to make this same proof over and over in court after court, the bill would provide that, in any John Doe summons proceeding involving a class defined in terms of a correspondent or payable through account at a non-FATCA institution, the court may presume that the case raises tax compliance issues. This presumption would then eliminate the need for the IRS to repeatedly establish in court the obvious fact that accounts at non-FATCA institutions raise tax compliance issues.

Finally, the bill would streamline the John Doe summons approval process in large ''project'' investigations where the IRS anticipates issuing multiple summonses to definable classes of third parties, such as banks or credit card associations, to obtain information related to particular taxpayers. Right now, for each summons issued in connection with a project, the IRS has to obtain the approval of a court, often having to repeatedly establish the same facts before multiple judges in multiple courts. This repetitive exercise wastes IRS, Justice Department, and court resources, and fragments oversight of the overall IRS investigative effort.

To streamline this process and strengthen court oversight of IRS use of John Doe summons, the bill would authorize the IRS to present an investigative project, as a whole, to a single judge to obtain approval for issuing multiple summonses related to that project. In such cases, the court would retain jurisdiction over the case after approval is granted, to exercise ongoing oversight of IRS issuance of summonses under the project. To further strengthen court oversight, the IRS would be required to file a publicly available report with the court on at least an annual basis describing the summonses issued under the project. The court would retain authority to restrict the use of further summonses at any point during the project. To evaluate the effectiveness of this approach, the bill would also direct the Government Accountability Office to report on the use of the provision after five years.

Section 206—FBAR Investigations and Suspicious Activity Reports

Section 206 of the bill would make several amendments to strengthen the ability of the IRS to enforce the Foreign Bank Account Report (FBAR) requirements and clarify the right of access by IRS civil enforcement authorities to Suspicious Activity Reports.

Under present law, a person controlling a foreign financial account with over $10,000 is required to check a box on his or her income tax return and, under Title 31, also file an FBAR form with the IRS. Treasury has delegated to the IRS responsibility for investigating FBAR violations and assessing FBAR penalties. Because the FBAR enforcement jurisdiction derives from Title 31, however, the IRS has set up a complex process for when its personnel may use tax return information when acting in its role as FBAR enforcer. The tax disclosure law, in Section 6103(b)(4) of the tax code, permits the use of tax information only for the administration of the internal revenue laws or ''related statutes.'' To implement this statutory requirement, the IRS currently requires its personnel to determine, at a managerial level and on a case by case basis, that the Title 31 FBAR law is a ''related statute.'' Not only does this necessitate a repetitive determination in every FBAR case before an IRS agent can look at the potential non-filer's income tax return to determine if filer checked the FBAR box, but it also prevents the IRS from comparing FBAR filing records to bulk data on foreign accounts received from tax treaty partners to find non-filers.

One of the stated purposes for the FBAR filing requirement is that such reports ''have a high degree of usefulness in . . . tax . . . investigations or proceedings.'' 31 U.S.C. 5311. If one of the reasons for requiring taxpayers to file FBARs is to use the information for tax purposes, and if the IRS has been charged with FBAR enforcement because of the FBARs' close connection to tax administration, common sense dictates that the FBAR statute should be viewed as a ''related statute'' as for tax disclosure purposes. Section 206(a) of the bill would make that clear by adding a provision to Section 6103(b) of the tax code deeming FBAR-related statutes to be ''related statutes,'' thereby allowing IRS personnel to make routine use of tax return information when working on FBAR matters.

The second change that would be made by Section 206 is an amendment to simplify the calculation of FBAR penalties. Currently the penalty is determined in part by the balance in the foreign bank account at the time of the ''violation.'' The violation has been interpreted to have occurred on the due date of the FBAR return, which is June 30 of the year following the year to which the report relates. The statute's use of this specific June 30th date can lead to strange results if money is withdrawn from the foreign account after the reporting period closed but before the return due date. To eliminate this unintended problem, Section 206(b) of the bill would instead calculate the penalty using the highest balance in the account during the covered reporting period.

The third part of section 206 relates to Suspicious Activity Reports or SARs, which financial institutions are required to file with the Financial Crimes Enforcement Center (FinCEN) of the Treasury Department when they encounter suspicious transactions. FinCEN is required to share this information with law enforcement, but currently does not permit IRS civil investigators access to the information, even though IRS civil investigators are federal law enforcement officials. Sharing SAR information with civil IRS investigators would likely prove very useful in tax investigations and would not increase the risk of disclosure of SAR information, since IRS civil personnel operate under the same tough disclosure rules as IRS criminal investigators. In some cases, IRS civil agents are now issuing an IRS summons to a financial institution to get access, for a production fee, to the very same information the financial institution has already filed with Treasury in a SAR. Section 206(c) of the bill would end that inefficient and costly practice by making it clear that ''law enforcement'' includes civil tax law enforcement.

Title III on Abusive Tax Shelters

Until now, I've been talking about what the bill would do to combat offshore tax abuses. Now I want to turn to the final title of the bill which offers measures to do combat abusive tax shelters and their promoters who use both domestic and offshore means to achieve their ends.

Abusive tax shelters are complicated transactions promoted to provide tax benefits unintended by the tax code. They are very different from legitimate tax shelters, such as deducting the interest paid on a home mortgage or Congressionally approved tax deductions for building affordable housing. Some abusive tax shelters involve complicated domestic transactions; others make use of offshore shenanigans. All abusive tax shelters are marked by one characteristic: there is no real economic or business rationale other than tax avoidance. As Judge Learned Hand wrote in Gregory v. Helvering, they are ''entered upon for no other motive but to escape taxation.''

Abusive tax shelters are usually tough to prosecute. Crimes such as terrorism and murder produce instant recognition of the immorality involved. Abusive tax shelters, by contrast, are often ''MEGOs,'' meaning ''My Eyes Glaze Over.'' Those who cook up these concoctions count on their complexity to escape scrutiny and public ire. But regardless of how complicated or eye-glazing, the hawking of abusive tax shelters by tax professionals like accountants, bankers, investment advisers, and lawyers to thousands of people like late-night, cut-rate T.V. bargains is scandalous, and we need to stop it.

My Subcommittee has spent years examining the design, sale, and implementation of abusive tax shelters. Our first hearing on this topic in recent years was held in January 2002, when the Subcommittee examined an abusive tax shelter purchased by Enron. In November 2003, the Subcommittee held two days of hearings and released a staff report that pulled back the curtain on how even some respected accounting firms, banks, investment advisors, and law firms had become engines pushing the design and sale of abusive tax shelters to corporations and individuals across this country. In February 2005, the Subcommittee issued a bipartisan report that provided further details on the role these professional firms played in the proliferation of these abusive shelters. Our Subcommittee report was endorsed by the full Committee on Homeland Security and Governmental Affairs in April 2005.

In 2006, the Subcommittee released a report and held a hearing showing how financial and legal professionals designed and sold an abusive tax shelter known as the POINT Strategy, which depended upon secrecy laws and practices in the Isle of Man to conceal the phony nature of securities trades that lay at the center of this tax shelter transaction. In 2008, the Subcommittee released a staff report and held a hearing on how financial firms have designed and sold so-called dividend enhancement transactions to help offshore hedge funds and others escape payment of U.S. taxes on U.S. stock dividends.

The Subcommittee investigations have found that many abusive tax shelters are not dreamed up by the taxpayers who use them. Instead, they are devised by tax professionals who then sell the tax shelter to clients for a fee. In fact, over the years we've found U.S. tax advisors cooking up one complex scheme after another, packaging them up as generic ''tax products'' with boilerplate legal and tax opinion letters, and then undertaking elaborate marketing schemes to peddle these products to literally thousands of persons across the country. In return, these tax shelter promoters were getting hundreds of millions of dollars in fees, while diverting billions of dollars in tax revenues from the U.S. Treasury each year.

For example, one shelter investigated by the Subcommittee and featured in the 2003 hearings became part of an IRS settlement effort involving a set of abusive tax shelters known as ''Son of Boss.'' Following our hearing, more than 1,200 taxpayers admitted wrongdoing and agreed to pay back taxes, interest and penalties totaling more than $3.7 billion. That's billions of dollars the IRS collected on just one type of tax shelter, demonstrating both the depth of the problem and the potential for progress. The POINT shelter featured in our 2006 hearing involved another $300 million in tax loss on transactions conducted by just six taxpayers. The offshore dividend tax scams we examined in 2008 meant additional billions of dollars in unpaid taxes over a ten year period.

Title III of the bill contains a number of measures to curb abusive tax shelters. It would strengthen the penalties imposed on those who aid or abet tax evasion. Several provisions would deter bank participation in abusive tax shelter activities by requiring regulators to develop new examination procedures to detect and stop such activities. Others would end outdated communication barriers between the IRS and other federal enforcement agencies such as the SEC, bank regulators, and the Public Company Accounting Oversight Board, to allow the exchange of information relating to tax evasion cases. The bill also provides for increased disclosure of tax shelter information to Congress. In addition, the bill would simplify and clarify an existing prohibition on the payment of fees linked to tax benefits; and authorize Treasury to issue tougher standards for tax shelter opinion letters.

Let me be more specific about these key provisions to curb abusive tax shelters.

Sections 301 and 302—Strengthening Tax Shelter Penalties

Sections 301 and 302 of the bill would strengthen two very important penalties that the IRS can use in its fight against the professionals who make complex abusive shelters possible. When we started investigating abusive tax shelters, the penalty for promoting these scams, as set forth in Section 6700 of the tax code, was the lesser of $1,000 or 100 percent of the promoter's gross income derived from the prohibited activity. That meant in most cases the maximum fine was just $1,000.

We've investigated abusive tax shelters that sold for $100,000 or $250,000 apiece, and some that sold for as much as $5 million apiece. We also saw instances in which the same cookie-cutter tax opinion letter was sold to 100 or even 200 clients. Given the huge profits, the $1,000 fine was laughable.

The Senate acknowledged that in 2004, when it adopted the Levin-Coleman amendment to the JOBS Act, S. 1637, raising the Section 6700 penalty on abusive tax shelter promoters to 100 percent of the fees earned by the promoter from the abusive shelter. A 100 percent penalty would have ensured that the abusive tax shelter hucksters would not get to keep a single penny of their ill-gotten gains. That figure, however, was cut in half during the conference on the JOBS Act, with the result being that the current Section 6700 penalty can now reach, but not exceed, 50 percent of the fees earned by a promoter of an abusive tax shelter.

While a 50 percent penalty is an obvious improvement over $1,000, this penalty still is inadequate and makes no sense. Why should anyone who pushes an illegal tax shelter that robs our Treasury of needed revenues get to keep half of their ill-gotten gains? What deterrent effect is created by a penalty that allows promoters to keep half of their fees if caught, and all of their fees if they are not caught?

Effective penalties should make sure that the peddler of an abusive tax shelter is deprived of every penny of profit earned from selling or implementing the shelter and then is fined on top of that. Section 301 of this bill would do just that by increasing the penalty on tax shelter promoters to an amount equal to up to 150 percent of the promoters' gross income from the prohibited activity.

Section 302 of the bill would address a second weak tax code penalty which currently is supposed to deter and punish those who knowingly help taxpayers understate their taxes to the IRS. Aside from tax shelter ''promoters,'' there are many other types of professional firms that aid and abet tax evasion by helping taxpayers carry out abusive tax schemes. For example, law firms are often asked to write ''opinion letters'' to help taxpayers head off IRS inquiries and fines that might otherwise apply to their use of an abusive shelter. Currently, under Section 6701 of the tax code, these aiders and abettors face a maximum penalty of only $1,000, or $10,000 if the offender is a corporation. When law firms are getting $50,000 for issuing cookie-cutter opinion letters, a $1,000 fine provides no deterrent effect whatsoever. A $1,000 fine is like getting a jaywalking ticket for robbing a bank.

Section 302 of the bill would strengthen Section 6701 of the tax code by subjecting aiders and abettors to a maximum fine of up to 150 percent of the aider and abettor's gross income from the prohibited activity. This penalty would apply to all aiders and abettors, not just tax return preparers.

Again, the Senate has recognized the need to toughen this critical penalty. In the 2004 JOBS Act, Senator Coleman and I successfully increased this fine to 100 percent of the gross income derived from the prohibited activity. Unfortunately, the conference report completely omitted this change, allowing many aiders and abettors to continue to profit without penalty from their wrongdoing.

If further justification for toughening these penalties is needed, one document uncovered by our investigation shows the cold calculation engaged in by a tax advisor facing low fines. A senior tax professional at accounting giant KPMG compared possible tax shelter fees with possible tax shelter penalties if the firm were caught promoting an illegal tax shelter. This senior tax professional wrote to his colleagues the following: ''[O]ur average deal would result in KPMG fees of $360,000 with a maximum penalty exposure of only $31,000.'' He then recommended the obvious: going forward with sales of the abusive tax shelter on a cost-benefit basis.

Section 303—Fees Contingent upon Obtaining Tax Benefits

Another finding of the Subcommittee investigations is that some tax practitioners are circumventing current state and federal constraints on charging tax service fees that are dependent on the amount of promised tax benefits. Traditionally, accounting firms charged flat fees or hourly fees for their tax services. In the 1990s, however, they began charging ''value added'' fees based on, in the words of one accounting firm's manual, ''the value of the services provided, as opposed to the time required to perform the services.'' In addition, some firms began charging ''contingent fees'' that were calculated according to the size of the paper ''loss'' that could be produced for a client and used to offset the client's taxable income—the greater the so-called loss, the greater the fee.

In response, many states prohibited accounting firms from charging contingent fees for tax work to avoid creating incentives for these firms to devise ways to shelter substantial sums. The SEC and the American Institute of Certified Public Accountants also issued rules restricting contingent fees, allowing them in only limited circumstances. The Public Company Accounting Oversight Board issued a similar rule prohibiting public accounting firms from charging contingent fees for tax services provided to the public companies they audit. Each of these federal, state, and professional ethics rules seeks to limit the use of contingent fees under certain, limited circumstances.

The Subcommittee investigation found several instances of tax shelter fees that were linked to the amount of a taxpayer's projected paper losses which could be used to shelter income from taxation. For example, in four tax shelters examined by the Subcommittee in 2003, documents showed that the fees were equal to a percentage of the paper loss to be generated by the transaction. In one case, the fees were typically set at 7 percent of the transaction's generated ''tax loss'' that clients could use to reduce other taxable income. In another, the fee was only 3.5 percent of the loss, but the losses were large enough to generate a fee of over $53 million on a single transaction. In other words, the greater the loss that could be concocted for the taxpayer or ''investor,'' the greater the profit for the tax promoter. Think about that—greater the loss, the greater the fee. How's that for turning capitalism on its head?

In addition, evidence indicated that, in at least one instance, a tax advisor was willing to deliberately manipulate the way it handled certain tax products to circumvent contingent fee prohibitions. An internal document at an accounting firm related to a specific tax shelter, for example, identified the states that prohibited contingent fees. Then, rather than prohibit the tax shelter transactions in those states or require an alternative fee structure, the memorandum directed the firm's tax professionals to make sure the engagement letter was signed, the engagement was managed, and the bulk of services was performed ''in a jurisdiction that does not prohibit contingency fees.''

Right now, the prohibitions on contingent fees are complex and must be evaluated in the context of a patchwork of federal, state, and professional ethics rules. Section 303 of the bill would establish a single enforceable rule, applicable nationwide, that would prohibit tax practitioners from charging fees calculated according to a projected or actual amount of tax savings or paper losses.

Section 304—Deterring Participation in Abusive Tax Shelter Activities

Section 304 of the bill targets financial institutions that offer financing or securities transactions to advance abusive tax shelters disguised as investment opportunities. Tax shelter schemes lack the economic risks and rewards associated with true investments. But to make these phony transactions look legitimate, some abusive tax shelters make use of significant amounts of money in low risk schemes mischaracterized as real investments. The financing or securities transactions called for by these schemes are often supplied by a bank, securities firm, or other financial institution and used to generate paper losses that the taxpayer can then use to shelter income from taxation.

Currently the tax code prohibits financial institutions from providing products or services that aid or abet tax evasion or that promote or implement abusive tax shelters. The agencies that oversee these financial institutions on a daily basis, however, are experts in banking and securities law and generally lack the expertise to spot abusive tax shelter activity. Section 304 would crack down on financial institutions' illegal tax shelter activities by requiring federal bank regulators and the SEC to work with the IRS to develop examination techniques to detect such abusive activities and put an end to them.

These examination techniques are intended to be part of routine regulatory examinations, with regulators reporting suspect activity or potential violations to the IRS. The agencies would also be required to prepare a joint report to Congress in 2013 on preventing the participation of financial institutions in tax evasion or tax shelter activities.

Section 305—Ending Communication Barriers between Enforcement Agencies

During hearings before the Permanent Subcommittee on Investigations on tax shelters in November 2003, IRS Commissioner Mark Everson testified that his agency was barred by Section 6103 of the tax code from communicating information to other federal agencies that would assist those agencies in their law enforcement duties. He pointed out that the IRS was barred from providing tax return information to the SEC, federal bank regulators, and the Public Company Accounting Oversight Board (PCAOB)—even, for example, when that information might assist the SEC in evaluating whether an abusive tax shelter resulted in deceptive accounting in a public company's financial statements, might help the Federal Reserve determine whether a bank selling tax products to its clients had violated the law against promoting abusive tax shelters, or help the PCAOB judge whether an accounting firm had impaired its independence by selling tax shelters to its audit clients.

Another example demonstrates how harmful these information barriers are to legitimate law enforcement efforts. In 2004, the IRS offered a settlement initiative to companies and corporate executives who participated in an abusive tax shelter involving the transfer of stock options to family-controlled entities. Over a hundred corporations and executives responded with admissions of wrongdoing. In addition to tax violations, their misconduct may be linked to securities law violations and improprieties by corporate auditors or banks, but the IRS told the Subcommittee that it was barred by law from sharing the names of the wrongdoers with the SEC, banking regulators, or PCAOB. The same is true for the offshore dividend tax shelters exposed in the Subcommittee's 2008 hearing. The IRS knows who the offending banks and investment firms are that designed and sold questionable dividend enhancement transactions to offshore hedge funds and others, but it is barred by Section 6103 of the tax code from providing detailed information or documents to the SEC or banking regulators who oversee the relevant financial institutions.

These communication barriers are outdated, inefficient, and ill-suited to stopping the tax schemes now affecting public companies, banks, investment firms, and accounting firms. To address this problem, Section 305 of this bill would authorize the Treasury Secretary, with appropriate privacy safeguards, to disclose to the SEC, federal banking agencies, and the PCAOB, upon request, tax return information related to abusive tax shelters, inappropriate tax avoidance, or tax evasion. The agencies could then use this information only for law enforcement purposes, such as preventing accounting firms, investment firms, or banks from promoting abusive tax shelters, or detecting accounting fraud in the financial statements of public companies.

Section 306—Increased Disclosure of Tax Shelter Information to Congress

The bill would also provide for increased disclosure of tax shelter information to Congress. Section 306 would make it clear that companies providing tax return preparation services to taxpayers cannot refuse to comply with a Congressional document subpoena by citing Section 7216, which prohibits tax return preparers from disclosing taxpayer information to third parties. Several accounting and law firms raised this claim in response to document subpoenas issued by the Permanent Subcommittee on Investigations, contending they were barred by the nondisclosure provision in Section 7216 from producing documents related to the sale of abusive tax shelters to clients.

The accounting and law firms maintained this position despite an analysis provided by the Senate legal counsel showing that the nondisclosure provision was never intended to create a privilege or to override a Senate subpoena, as demonstrated in federal regulations interpreting the provision. This bill would codify the existing regulations interpreting Section 7216 and make it clear that Congressional document subpoenas must be honored.

Section 306 would also ensure Congress has access to information about decisions by Treasury related to an organization's tax exempt status. A 2003 decision by the D.C. Circuit Court of Appeals, Tax Analysts v. IRS, struck down certain IRS regulations and held that the IRS must disclose letters denying or revoking an organization's tax exempt status. Despite this court decision, the IRS has been reluctant to disclose such information, not only to the public, but also to Congress, including in response to requests by the Subcommittee.

For example, in 2005, the IRS revoked the tax exempt status of four credit counseling firms, and, despite the Tax Analysts case, claimed that it could not disclose to the Subcommittee the names of the four firms or the reasons for revoking their tax exemption. Section 306 would make it clear that, upon receipt of a request from a Congressional committee or subcommittee, the IRS must disclose documents, other than a tax return, related to the agency's determination to grant, deny, revoke or restore an organization's exemption from taxation.

Section 307—Tax Shelter Opinion Letters

The final provision in the bill would address issues related to opinion letters issued by law firms and others in support of complex tax schemes. The Treasury Department has already issued a set of standards for tax practitioners who provide opinion letters on the tax implications of potential tax shelters under Circular 230. Section 308 of the bill would not only provide the express statutory authority which is currently lacking for these standards, but also strengthen them.

The public has traditionally relied on tax opinion letters to obtain informed and trustworthy advice about whether a tax-motivated transaction meets the requirements of the law. The Permanent Subcommittee on Investigations has found that, in too many cases, tax opinion letters no longer contain disinterested and reliable tax advice, even when issued by supposedly reputable accounting or law firms. Instead, some tax opinion letters have become marketing tools used by tax shelter promoters and their allies to sell clients on their latest tax products. In many of these cases, financial interests and biases were concealed, unreasonable factual assumptions were used to justify dubious legal conclusions, and taxpayers were misled about the risk that the proposed transaction would later be designated an illegal tax shelter. Reforms are essential to address these abuses and restore the integrity of tax opinion letters.

The Circular 230 standards should be strengthened by addressing a wider spectrum of tax shelter opinion letter problems, including preventing concealed collaboration among supposedly independent letter writers; avoiding conflicts of interest that would impair auditor independence; ensuring appropriate fee charges; preventing practitioners and firms from aiding and abetting the understatement of tax liability by clients; and banning the promotion of potentially abusive tax shelters. By authorizing Treasury to address each of these areas, a beefed-up Circular 230 could help reduce the ongoing abusive practices related to tax shelter opinion letters.

Conclusion. Tax evasion eats at the fabric of society, not only by widening deficits and starving health care, education, and other needed government services of resources, but also by undermining public trust—making honest folks feel like they are being taken advantage of when they pay their fair share. While the eyes of some people may glaze over when tax havens and tax shelters are discussed, unscrupulous taxpayers and tax professionals see illicit dollar signs. Our commitment to crack down on their abuses must be as strong as their determination to get away with ripping off Uncle Sam and honest American taxpayers.

We can fight back against offshore tax abuses and abusive tax shelters if we summon the political will. The Stop Tax Haven Abuse Act, which is the product of years of work, offers the tools needed to tear down tax haven secrecy walls in favour of transparency, cooperation, and tax compliance. I urge my colleagues to include its provisions in any deficit reduction or budget package this year or, if not, to adopt it by separate action.

I ask unanimous consent that following my remarks that a summary of the bill be reprinted in the record.

STOP TAX HAVEN ABUSE ACT

Targeting $100 billion in lost revenue each year from offshore tax dodges, the bill would:

Authorize Special Measures To Stop Offshore Tax Abuse (§101) by allowing Treasury to take specified steps against foreign jurisdictions or financial institutions that impede U.S. tax enforcement.

Strengthen FATCA (§102) by clarifying under the Foreign Account Tax Compliance Act when foreign financial institutions and U.S. persons must report foreign financial accounts to the IRS.

Establish Rebuttable Presumptions To Combat Offshore Secrecy (§102) in U.S. tax and securities law enforcement proceedings by treating non-publicly traded offshore entities as controlled by the U.S. taxpayer who formed them, sent them assets, received assets from them, or benefited from them when those entities have accounts or assets in non-FATCA institutions, unless the taxpayer proves otherwise.

Stop Companies Run From the United States Claiming Foreign Status (§103) by treating foreign corporations that are publicly traded or have gross assets of $50 million or more and whose management and control occur primarily in the United States as U.S. domestic corporations for income tax purposes.

Strengthen Detection of Offshore Activities (§104) by requiring U.S. financial institutions that open accounts for foreign entities controlled by U.S. clients or open foreign accounts in non-FATCA institutions for U.S. clients to report the accounts to the IRS.

Close Credit Default Swap (CDS) Loophole (§105) by treating CDS payments sent offshore from the United States as taxable U.S. source income.

Close Foreign Subsidiary Deposits Loophole (§106) by treating deposits made by a controlled foreign corporation (CFC) to a financial account located in the United States, including a correspondent account of a foreign bank, as a taxable constructive distribution by the CFC to its U.S. parent.

Require Annual Country-by-Country Reporting (§201) by SEC-registered corporations on employees, sales, financing, tax obligations, and tax payments.

Establish a Penalty for Corporate Insiders Who Hide Offshore Holdings (§202) by authorizing a fine of up to $1 million per violation of securities laws.

Require Anti-Money Laundering Programs (§§203–204) for hedge funds, private equity funds, and formation agents to ensure they screen clients and offshore funds.

Strenghthen John Doe Summons (§205) by allowing the IRS to issue summons to a class of persons that relate to a long-term project approved and overseen by a court.

Combat Hidden Foreign Financial Accounts (§206) by allowing IRS use of tax return information to evaluate foreign financial account reports, simplifying penalty calculations for unreported foreign accounts, and facilitating use of suspicious activity reports in civil tax enforcement.

Strengthen Penalties (§§301–302) on tax shelter promoters and those who aid and abet tax evasion by increasing the maximum fine to 150 percent of any ill-gotten gains.

Prohibit Fee Arrangements (§303) in which a tax advisor is paid a fee based upon the amount of paper losses generated to shelter income or taxes not paid by a client.

Require Bank Examination Techniques (§304) to detect and prevent abusive tax shelter activities or the aiding and abetting of tax evasion by financial institutions.

Allow Sharing of Tax Information (§305) upon request by a federal financial regulator engaged in a law enforcement effort.

Require Disclosure of Information to Congress (§306) related to an IRS determination of whether to exempt an organization from taxation.

Direct the Establishment of Standards for Tax Opinions (§307) rendering advice on transactions with a potential for tax avoidance or evasion.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1347. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. LIEBERMAN. Mr. President, I rise today to introduce the Coltsville National Historical Park Act, and express my strong support for the designation of the Coltsville Historical District in Hartford, Connecticut as a National Park. I thank my colleague Senator BLUMENTHAL for joining me as an original cosponsor of this legislation, and also wish to thank my longtime friend and colleague, Congressman JOHN LARSON, who recently introduced an identical version of this bill in the House.

In 1990, I had the privilege of introducing and successfully fighting for the legislation that established the Weir Farm National Historic Site as Connecticut's first and, as yet, only contribution to the National Park System. Over two decades later, I am honored to strive for the same outcome for Coltsville.

Located on the banks of the Connecticut River in Hartford, Coltsville is at the heart of a cluster of historical landmarks of great significance for Connecticut and our entire Nation. A newly established national park in Coltsville would span more than 200 acres and beckon tourists to such Hartford destinations as the homes of Mark Twain and Harriet Beecher Stowe, as well as to the great events organized by Riverfront Recapture, along our beautiful waterfront.

Coltsville's past is as compelling as its future possibilities. Samuel Colt, born in Hartford, was first famous for developing the revolving-breech pistol, which became one of the standard small arms of the world in the last half of the nineteenth century. Production of that firearm helped build a model town on the banks of the Connecticut River, including the Colt Armory, workers' housing, Colt Park, the Church of the Good Shepherd, and the Colt family home, known as "Armsmear." At its peak during the twentieth century, the factory at Coltsville employed over 10,000 people and made a significant contribution to the country's war effort.

But the legacy of the Colt operation goes well beyond the manufacturing of guns. Colt himself invented a submarine battery used in harbor defense, a submarine telegraph cable, and other innovations. The success of Samuel and Elizabeth Colt's precision firearms business led to other industrial advancements in Connecticut and throughout New England, including the manufacture of sewing machines and typewriters. Ultimately, the spirit of innovation fostered at Coltsville was crucial to establishing Connecticut's proud tradition of manufacturing everything from small arms to jet engines, and even the submarines that our servicemembers use to defend our freedoms.

The early industrial innovators represented the same pioneering spirit of American ingenuity that we see today in defense, information, and biotechnology firms. Today, we sometimes take this innovation for granted. In Samuel Colt's day, every ingenious development was a grand achievement and a small revelation.

The industrial revolution transformed our nation culturally and economically like no other force ever has. People moved into the cities. Living standards rose. The middle class grew and economic growth intensified.

Unfortunately, Hartford has not been immune to the economic hardships the country is facing. That is why Coltsville must be a beacon to our nation of what once was and can be again, the center of industry, innovation, and prosperity. Just as Coltsville did for Hartford during the Industrial Revolution, the designation of a National Park will serve as a catalyst for growth in a struggling city.

I believe that memorializing Sam and Elizabeth Colt and their movement is particularly important as Americans struggle to emerge from a deep recession. The way we are going to revitalize our economy is to invest in people, to invest in and inspire innovation that will pioneer new industries that will create millions of new jobs. Coltsville is a historic landmark and a living reminder of the extraordinary advances in technology and innovation that have been America's story for over 400 years.

I thank Senator BLUMENTHAL and Congressman LARSON for their work and dedication to advance Coltsville's status as a National Historical Park. I reaffirm my strong support today for recognizing these values, and I look forward to working cooperatively with my colleagues in making it happen.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1347

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Coltsville National Historical Park Act''.

**SEC. 2. DEFINITIONS.**

For the purposes of this Act:

(1) CITY.—The term ''city'' means the city of Hartford, Connecticut.

(2) COMMISSION.—The term ''Commission'' means the Coltsville National Historical Park Advisory Commission established by subsection 6(a).

(3) HISTORIC DISTRICT.—The term ''Historic District'' means the Coltsville Historic District.

(4) MAP.—The term ''map'' means the map titled ''Coltsville National Historical Park—Proposed Boundary'', numbered T25/102087, and dated May 11, 2010.

(5) PARK.—The term ''park'' means the Coltsville National Historical Park in the State of Connecticut.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) STATE.—The term ''State'' means the State of Connecticut.

**SEC. 3. COLTSVILLE NATIONAL HISTORICAL PARK.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the ''Coltsville National Historical Park''.

(2) CONDITIONS FOR ESTABLISHMENT.—The park shall not be established until the date on which the Secretary determines that—

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the East Armory which would include facilities for park administration and visitor services;

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that—

(i) land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section; and

(ii) future uses of land within the historic district shall be compatible with the designation of the park and the city's preservation ordinance; and

(D) the Secretary has reviewed the financial resources of the owners of private and public property within the boundary of the proposed park to ensure the viability of the park based on those resources.

(b) BOUNDARIES.—The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

(1) The East Armory.

(2) The Church of the Good Shepherd.

(3) The Caldwell/Colt Memorial Parish House.

(4) Colt Park.

(5) The Potsdam Cottages.

(6) Armsmear.

(7) The James Colt House.

(c) COLLECTIONS.—The Secretary shall enter into a written agreement with the State of Connecticut State Library, Wadsworth Atheneum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within the park as determined by the Secretary as a major function of the visitor experience.

**SEC. 4. ADMINISTRATION.**

(a) IN GENERAL.—The Secretary shall administer the park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) STATE AND LOCAL JURISDICTION.—Nothing in this Act enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the city)—

(1) to exercise civil and criminal jurisdiction; or

(2) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(c) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—As the Secretary determines to be appropriate to carry out this Act, the Secretary may enter into cooperative agreements with the owner of any property within the Coltsville Historic District or any nationally significant properties within the boundary of the park, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of the properties.

(2) RIGHT OF ACCESS.—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the properties; and

(B) interpreting the properties for the public.

(3) CHANGES OR ALTERATIONS.—No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(4) CONVERSION, USE, OR DISPOSAL.—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

(A) the amounts made available to the project by the United States; or

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) MATCHING FUNDS.—

(A) IN GENERAL.—As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) FORM.—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(d) ACQUISITION OF LAND.—The Secretary is authorized to acquire land or interests in land by donation, purchase with donated or appropriated funds, or exchange. Land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(e) TECHNICAL ASSISTANCE AND PUBLIC INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

**SEC. 5. MANAGEMENT PLAN.**

(a) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with—

(1) section 12(b) of Public Law 91–383 (commonly known as the National Park Service General Authorities Act) (16 U.S.C. 1a–7(b)); and

(2) other applicable laws.

(b) COST SHARE.—The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(c) SUBMISSION TO CONGRESS.—On completion of the management plan, the Secretary shall submit the management plan to—

(1) the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

**SEC. 6. COLTSVILLE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.**

(a) ESTABLISHMENT.—There is established a Commission to be known as the Coltsville National Historical Park Advisory Commission.

(b) DUTY.—The Commission shall advise the Secretary in the development and implementation of the management plan.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom—

(A) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(B) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(C) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(D) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(E) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(F) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(G) 2 members shall have experience with national parks and historic preservation;

(H) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(I) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(2) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Commission not later than the earlier of—

(A) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under paragraph (1); or

(B) the date that is 30 days after the park is established.

(d) TERM; VACANCIES.—

(1) TERM.—

(A) IN GENERAL.—A member shall be appointed for a term of 3 years.

(B) REAPPOINTMENT.—A member may be reappointed for not more than 1 additional term.

(2) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointment was made.

(e) MEETINGS.—The Commission shall meet at the call of—

(1) the Chairperson; or

(2) a majority of the members of the Commission.

(f) QUORUM.—A majority of the Commission shall constitute a quorum.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) IN GENERAL.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(2) VICE CHAIRPERSON.—The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(3) TERM.—A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.

(h) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) IN GENERAL.—Members of the Commission shall serve without compensation.

(B) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duty of the Commission.

(B) DETAIL OF EMPLOYEES.—The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.

(i) FACA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(j) TERMINATION.—

(1) IN GENERAL.—Unless extended under paragraph (2), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.

(2) EXTENSION.—Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park. If, based on a recommendation under this paragraph, the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 534. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table.

SA 535. Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 536. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1323, supra; which was ordered to lie on the table.

SA 537. Mrs. HUTCHISON (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1323, supra; which was ordered to lie on the table.

SA 538. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

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SA 542. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 543. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 544. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 545. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 546. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 547. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 548. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 549. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 534.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. __. SENSE OF THE SENATE THAT INCREASED REVENUE SHOULD COME FROM NEW TAXPAYERS, NOT NEW TAXES.**

(a) FINDINGS.—

(1) According to the Bureau of Labor Statistics, the national unemployment rate is 9.2 percent and 25 million Americans are unemployed or underemployed.

(2) According to the Congressional Budget Office—

(A) the historical burden of government spending is 20.6 percent of Gross Domestic Product;

(B) government spending is currently above 24 percent of Gross Domestic Product;

(C) tax revenues have historically averaged between 18 and 19 percent of Gross Domestic Product regardless of how high the top marginal tax rate is; and

(D) tax revenues are projected to reach 18.4 percent in 2021 without tax increases.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Washington has a spending problem, not a revenue problem;

(2) raising taxes on our fragile economy will neither create jobs nor generate significant revenue for debt reduction;

(3) increased tax revenue should come from economic growth that creates new taxpayers, not new taxes, and such revenue increases should be dedicated to reducing the national debt;

(4) to boost the economy and reduce our Nation's unsustainable debt in the process, Congress should pursue comprehensive tax reform in lieu of tax increases that—

(A) simplifies the tax code and sharply reduces marginal tax rates for individuals, families, and businesses;

(B) broadens the tax base;

(C) ends punitive double taxation of savings and investment; and

(D) does not impose a net tax increase on the American economy.

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**SA 535.** Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. ___. SENSE OF THE SENATE ON PROTECTING SOCIAL SECURITY AND MEDICARE.**

(a) FINDINGS.—

(1) Over 34,000,000 retired workers currently receive Social Security benefits in amounts that average a modest $14,100 a year.

(2) In 2008, 23 percent of retired workers receiving Social Security benefits depended on those benefits for all or almost all of their income.

(3) According to AARP, Social Security benefits kept 36 percent of seniors out of poverty in 2008.

(4) Reducing Social Security benefits would cause many seniors to have to choose between food, drugs, rent, and heat.

(5) Ninety-five percent of seniors in the United States, who numbered almost 37,000,000 in 2008, got their health care coverage through the Medicare program.

(6) Without Medicare benefits, seniors, many of whom live off of Social Security benefits, would have to turn to the costly and uncertain private market for health care coverage.

(7) The Social Security program and the Medicare program are extremely successful social insurance programs that permit seniors in America to retire with dignity and security after a lifetime of hard work.

(8) The Social Security program and the Medicare program help relieve young American families from worry about their own futures, allowing freedom of opportunity in America.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

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**SA 536.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. EXTENDING THE SOLVENCY OF THE SOCIAL SECURITY TRUST FUNDS.**

(a) SHORT TITLE.—This section may be cited as the ''Defend and Save Social Security Act''.

(b) ADJUSTMENT TO NORMAL AND EARLY RETIREMENT AGE.—

(1) IN GENERAL.—Section 216(l) of the Social Security Act (42 U.S.C. 416(l)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''2017'' and inserting ''2016''; and

(ii) by striking subparagraphs (D) and (E) and inserting the following new subparagraphs:

''(D) with respect to an individual who—

''(i) attains 62 years of age after December 31, 2015, and before January 1, 2024, such individual's early retirement age (as determined under paragraph (2)(A)) plus 48 months; or

''(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2015, and before January 1, 2024, 66 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(i));

''(E) with respect to an individual who—

''(i) attains 62 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(ii)); or

''(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(i)); and

''(F) with respect to an individual who—

''(i) attains 62 years of age after December 31, 2026, 69 years of age; or

''(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2026, 69 years of age.'';

(B) by amending paragraph (2) to read as follows:

''(2) The term 'early retirement age' means—

''(A) in the case of an old-age, wife's, or husband's insurance benefit—

''(i) 62 years of age with respect to an individual who attains such age before January 1, 2016;

''(ii) with respect to an individual who attains 62 years of age after December 31, 2015, and before January 1, 2023, 62 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(ii)) for the calendar year in which such individual attains 62 years of age; and

''(iii) with respect to an individual who attains age 62 after December 31, 2022, 64 years of age; or

''(B) in the case of a widow's or widower's insurance benefit, 60 years of age.'';

(C) by striking paragraph (3) and inserting the following:

''(3) With respect to an individual who attains early retirement age in the 5-year period consisting of the calendar years 2000 through 2004, the age increase factor shall be equal to two-twelfths of the number of months in the period beginning with January 2000 and ending with December of the year in which the individual attains early retirement age.''; and

(D) by adding at the end the following new paragraph:

''(4) The age increase factor shall be equal to three-twelfths of the number of months in the period—

''(A) beginning with January 2016 and ending with December of the year in which—

''(i) for purposes of paragraphs (1)(D)(ii), the individual attains 60 years of age; or

''(ii) for purposes of paragraph (2)(A)(ii), the individual attains 62 years of age; and

''(B) beginning with January 2024 and ending with December of the year in which—

''(i) for purposes of (1)(E)(ii), the individual attains 60 years of age; or

''(ii) for purposes of (1)(E)(i), the individual attains 62 years of age.''.

(2) CONFORMING INCREASE IN NUMBER OF ELAPSED YEARS FOR PURPOSES OF DETERMINING PRIMARY INSURANCE AMOUNT.—Section 215(b)(2)(B)(iii) of such Act (42 U.S.C. 415(b)(2)(B)(iii)) is amended by striking ''age 62'' and inserting ''early retirement age (or, in the case of an individual who receives a benefit described in section 216(l)(2)(B), 62 years of age)''.

(c) COST-OF-LIVING ADJUSTMENT.—Section 215(i) of the Social Security Act (42 U.S.C. 415(i)) is amended—

(1) in paragraph (1)(D), by inserting ''subject to paragraph (6),'' before ''the term''; and

(2) by adding at the end the following new paragraph:

''(6)(A) Subject to subparagraph (B), with respect to a base quarter or cost-of-living computation quarter in any calendar year after 2010, the term 'CPI increase percentage' means the percentage determined under paragraph (1)(D) for the quarter reduced (but not below zero) by 1 percentage point.

''(B) The reduction under subparagraph (A) shall apply only for purposes of determining the amount of benefits under this title and not for purposes of determining the amount of, or any increases in, benefits under other provisions of law which operate by reference to increases in benefits under this title.''.

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**SA 537.** Mrs. HUTCHISON (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. EMERGENCY FUNDING TO PROVIDE PAY AND ALLOWANCES FOR MEMBERS OF THE ARMED FORCES AND SUPPORTING CIVILIAN AND CONTRACTOR PERSONNEL DURING FUNDING GAP IMPACTING THE DEPARTMENT OF DEFENSE OR DEPARTMENT OF HOMELAND SECURITY.**

(a) FUNDING FOR MILITARY PAY AND ALLOWANCES.—During a funding gap impacting the Armed Forces, the Secretary of the Treasury shall make available to the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard), out of any amounts in the general fund of the Treasury not otherwise appropriated, such amounts as the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) determines to be necessary to continue to provide pay and allowances (without interruption) to the following:

(1) Members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, including reserve components thereof, who perform active service during the funding gap.

(2) At the discretion of the Secretary of Defense, such civilian personnel of the Department of Defense who are providing support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(3) At the discretion of the Secretary of Defense, such personnel of contractors of the Department of Defense who are providing direct support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(b) FUNDING GAP DEFINED.—In this section, the term ''funding gap'' means any period of time after the beginning of a fiscal year for which interim or full-year appropriations for the personnel accounts of the Armed Forces for that fiscal year have not been enacted.

(c) DURATION OF TRANSFER AUTHORITY.—No transfer may be made by the Secretary of the Treasury under subsection (a) after December 31, 2011.

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**SA 538.** Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. ___. SENSE OF THE SENATE RELATING TO EXPANDING OR EXTENDING SPENDING INCLUDED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

It is the sense of the Senate that Congress should not enact any legislation that expands or extends the spending provisions included in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 179).

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**SA 539.** Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. ___. SENSE OF THE SENATE RELATING TO NEW SPENDING.**

It is the sense of the Senate that Congress should not enact any legislation that reduces expenditures under the Medicare program and uses the savings from such reduction for new spending.

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**SA 540.** Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. ___. SENSE OF THE SENATE RELATING RAISING THE DEBT CEILING.**

It is the sense of the Senate that any legislation that increases the limit on public debt, as provided in section 3101(b) of title 31, United States Code, shall not include any increase in taxes unless the Secretary of the Treasury submits a certification to Congress that the increase in taxes will not cause any further loss of jobs.

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**SA 541.** Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. ___. SENSE OF THE SENATE RELATING TO NEW SPENDING.**

It is the sense of the Senate that Congress should not enact any legislation that reduces expenditures under the Social Security program and uses the savings from such reduction for new spending.

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**SA 542.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

**SEC. _____. REDUCTION IN NON-SECURITY DISCRETIONARY SPENDING.**

(a) IN GENERAL.—Amounts appropriated for non-security discretionary spending for fiscal year 2011 are reduced on a pro rata basis by 2.5 percent.

(b) NON-SECURITY SPENDING.—In this section, the term 'non-security discretionary spending' means discretionary spending other than spending for the Department of Defense, homeland security activities, intelligence related activities within the Department of State, the Department of Veterans Affairs, and national security related activities in the Department of Energy.

**SA 543.** Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 2. CONGRESSIONAL RETIREMENT AGE.**

(a) SHORT TITLE.—This section may be cited as the ''Congressional Retirement Age Act of 2011''.

(b) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended—

(1) in section 8336, by adding at the end the following:

''(q)(1) An individual serving as a Member on or after the date of enactment of this subsection—

''(A) shall not be eligible for an annuity under any other provision of this section; and

''(B) shall be eligible for an annuity if the individual is separated from the service after attaining retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1)) and completing 5 years of service.

''(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether—

''(A) the individual is separated from the service while serving as an employee or a Member; or

''(B) any service by the individual is subject to section 8334(k)''; and

(2) in section 8338, by adding at the end the following:

''(i)(1) An individual serving as a Member on or after the date of enactment of this subsection—

''(A) shall not be eligible for an annuity under any other provision of this section; and

''(B) if the individual is separated from the service, or transferred to a position in which the individual does not continue subject to this subchapter, after completing 5 years of service, is eligible for an annuity beginning at retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1)).

''(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether—

''(A) the individual serves as an employee before, on, or after the date of enactment of this subsection; or

''(B) any service by the individual is subject to section 8334(k).''.

(c) FERS.—Chapter 84 of title 5, United States Code, is amended—

(1) in section 8412, by adding at the end the following:

''(i)(1) An individual serving as a Member on or after the date of enactment of this subsection—

''(A) shall not be eligible for an annuity under any other provision of this section; and

''(B) shall be eligible for an annuity if the individual is separated from the service after attaining retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1)) and completing 5 years of service.

''(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether the individual is separated from the service while serving as an employee or a Member.'';

(2) in section 8413, by adding at the end the following:

''(c)(1) An individual serving as a Member on or after the date of enactment of this subsection—

''(A) shall not be eligible for an annuity under any other provision of this section; and

''(B) if the individual is separated from the service, or transferred to a position in which the individual does not continue subject to this chapter, after completing 5 years of service, is eligible for an annuity beginning at retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1)).

''(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether the individual serves as an employee before, on, or after the date of enactment of this subsection.''; and

(3) in section 8414, by adding at the end the following:

''(e) Notwithstanding any other provision of this section, an individual serving as a Member on or after the date of enactment of this subsection who otherwise meets the requirements for an annuity under another provision of this section shall not be entitled to an annuity until after attaining retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1)).''.

**SA 544.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 2. FEDERAL WORKFORCE.**

It is the sense of the Senate that—

(1) the pay, retirement benefits, and composition of Federal employees needs to be preserved;

(2) Federal employees have already made significant contributions toward deficit reduction with the Federal employee pay freeze;

(3) it is necessary to maintain Federal employee pay and benefits at rates that incentivize talented Americans to join the Federal workforce;

(4) it is important to have the best and brightest individuals working for the Federal Government;

(5) radical proposals that would harm our Nation should be rejected, including the proposal of reducing the current Federal workforce by attrition and privatizing Federal jobs;

(6) privatizing Federal jobs can lead to complex, expensive results as noted by former Secretary of Defense Robert Gates; and

(7) private contractors cost on average 25 percent more per employee each year compared to the cost of hiring a civil servant.

**SA 545.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

**SEC. _____. SENSE OF SENATE REGARDING PROHIBITION ON FUNDING FOR GLOBAL CLIMATE CHANGE INITIATIVE.**

(a) FINDING.—The Senate finds that the budget request of the President for fiscal year 2012 included a total of $1,329,000,000 for the United States Agency for International Development, the Department of the Treasury, and the Department of State for the Global Climate Change Initiative.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of State, the United States Agency for International Development, and the Department of the Treasury should not expend taxpayer funds to provide foreign assistance through the Global Climate Change Initiative.

**SA 546.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. __. SENSE OF THE SENATE REGARDING CORPORATE TAX LOOPHOLES.**

It is the sense of the Senate that loopholes that allow large and profitable corporations to avoid paying their fair share of federal taxes should be closed as part of any deficit reduction legislation.

**SA 547.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. __. SENSE OF THE SENATE WITH RESPECT TO NEW OR EXTENDED TAX CUTS FOR THE WEALTHY.**

It is the sense of the Senate that no new tax cuts for the wealthy, including an extension of the Bush tax cuts for upper income earners, should be enacted until annual federal deficits have been eliminated.

**SA 548.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. __. SENSE OF THE SENATE ON TAX LOOPHOLES FOR LUXURY ITEMS.**

It is the sense of the Senate that tax loopholes for luxury items including racehorses, yachts, and private jets, should be repealed as part of any deficit reduction legislation.

**SA 549.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. __. SENSE OF THE SENATE RELATING TO THE ESTATE TAX.**

It is the sense of the Senate that the estate tax should be returned to its 2001 levels as part of any deficit reduction legislation.

## NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 19, 2011, at 10:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the recent report of the MIT Energy Initiative entitled ''The Future of Natural Gas.''

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Meagan__Gins@energy.senate.gov.

For further information, please contact Allyson Anderson or Meagan Gins.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on July 12, 2011, at 10 a.m., to conduct a hearing entitled ''Enhanced Investor Protection After the Financial Crisis.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 12, 2011, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 12, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, ''Oversight Hearing on the Environmental Protection Agency's Implementation of the Safe Drinking Water Act's Unregulated Drinking Water Contaminants Program.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''The Power of Pensions: Building a Strong Middle Class and Strong Economy'' on July 12, 2011, at 2:30 p.m. in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 12, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 12, 2011, at 2:30 p.m. to conduct a hearing entitled ''Can New Technology and Private Sector Business Practices Cut Waste and Fraud in Medicare and Medicaid?''

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. CARDIN. Mr. President, I ask unanimous consent that CPT Michael K. Lynch, a U.S. Army aviation officer who is currently serving as the defense legislative fellow for the majority leader, be granted the privilege of the floor for the duration of consideration of S. 1255, the Military Construction Authorization Act for Fiscal Year 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the privileges of the floor be extended to Conner Myers, an intern in my office, for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2011 second quarter Mass Mailing report is Monday, July 25, 2011. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, temporarily located in the Dirksen Building in room B40–B.

The Senate Office of Public Records will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Senate Office of Public Records at (202) 224–0322.

## DISCHARGE AND REFERRAL—S. 869

Mr. NELSON of Florida. Madam President, I ask unanimous consent that S. 869, the Former Charleston Naval Base Land Exchange Act of 2011, be discharged from the Committee on Energy and Natural Resources, and be referred to the Committee on Homeland Security and Governmental Affairs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDERS FOR WEDNESDAY, JULY 13, 2011

Mr. NELSON of Florida. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 13; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with 1 hour of debate equally divided and controlled between the two leaders or their designees, prior to the cloture vote on S. 1323; further, that the filing deadline for all second-degree amendments on S. 1323 be at 10 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## PROGRAM

Mr. NELSON of Florida. Madam President, there will be up to two rollcall votes at approximately 10:30 a.m. tomorrow. The first vote will be on the motion to invoke cloture on S. 1323, the sense-of-the-Senate bill on shared sacrifice in resolving the budget deficit. If cloture is not invoked, there will be a second cloture vote on the motion to proceed to H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. NELSON of Florida. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 4:47 p.m., adjourned until Wednesday, July 13, 2011, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### NATIONAL COUNCIL ON DISABILITY

MATAN ARYEH KOCH, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013, VICE CAROL JEAN REYNOLDS, TERM EXPIRED.

STEPHANIE ORLANDO, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 17, 2011, VICE HEATHER MCCALLUM, RESIGNED.

STEPHANIE ORLANDO, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014. (REAPPOINTMENT)

# EXTENSIONS OF REMARKS

## HONORING SERGEANT JAMES T. HACKEMER

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. HIGGINS. Mr. Speaker, I rise today to honor Sergeant James T. Hackemer, a veteran of the Iraq War who tragically died in an accident on July 8, 2011 at the age of twenty-nine.

A native of the Village of Gowanda, Sergeant Hackemer joined the military after graduating from Gowanda High School. He had hopes of becoming a state trooper after serving his country. Sergeant Hackemer's selfless ambitions made him a model of heroism for his generation.

In March of 2008, Sergeant Hackemer was in southern Baghdad when a bomb exploded under his vehicle. The disaster robbed him of both his legs and his left hip. After spending the next three years in physical therapy, Sergeant Hackemer defied his doctors' expectations by regaining his ability to walk again with the help of prosthetic legs.

After leaving the hospital, Sergeant Hackemer returned to his life in Western New York. Even while struggling with his loss, Sergeant Hackemer made an effort to enjoy life through spending time with his friends and family and learning how to bike again. His story is a lesson of hope for everybody in his community.

Sergeant Hackemer is survived by his wife, Alycia, and his two young daughters, Kaelynn and Addison.

It is my honor to pay tribute to Sergeant James T. Hackemer's life, and I offer my deepest condolences to the Hackemer family for their loss. His resolute spirit and valor will be remembered by those in his community.

## PERSONAL EXPLANATION

### HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. CARNAHAN. Mr. Speaker, due to being unavoidably delayed, I missed the vote on the Polis Amendment to H.R. 2219 (Roll No. 529). I would like to reflect that I would have voted against this amendment, which failed by a margin of 113–307, had I been present to record my vote.

## CRAIG OLIVE "PUTTING PEOPLE FIRST"

### HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mrs. ELLMERS. Mr. Speaker, I rise today to acknowledge my dear friend Craig Olive. Since taking office in December, 2002, as Johnston County's Registrar of Deeds, Craig Olive has made tremendous strides in efficiency, innovative office automation, streamlining services, reducing costs to citizens and going the extra mile to serve the people of Johnston County.

Craig has been consistent in his efforts to reduce fees, maximize office efficiency, improve computerization and automation of services, and provide excellent customer service for Johnston's citizens. He implemented a recording software program, to streamline the process of recording documents at a cost savings of over $300,000 in a five year period. He has automated the marriage license process—allowing issuance of a license in 10 minutes. He has also automated the issuance of other vital records, i.e., birth and death certificates, reducing waiting time and increasing productivity. He has digitized all records dating back to the beginning of the county; mid-1700s. Craig was the first Registrar of Deeds in North Carolina to follow the North Carolina Secretary of State's standards and submit an "eRecording." Craig's office was the first in the Nation to electronically record a survey map. Through the automation of his office, Craig has been able to increase the efficiency of his office, while at the same time saving valuable tax dollars.

In service to the county and State, Craig has spearheaded the effort to have legislation enacted that would conceal individuals' Social Security and driver's license numbers from appearing on the Internet, via public records.

Craig and his staff always go the extra mile while treating everyone with respect. In February 2010, NC Secretary of State awarded Craig with the Honorary Keeper of the Constitution for outstanding recordkeeping of public documents.

Craig has been consistent in carrying out policies and methods that have reduced fees and costs for citizens and professionals, improved productivity and efficiency through automation, and has consistently made sure that his office provides outstanding customer service. Mr. Olive, through his service, provides the blueprint of how a Registrar of Deeds office should be run in order to provide the highest levels of efficiency, productivity, innovation and service for the people of this county.

## HONORING SCOTT CITY, KANSAS FOR ITS DESIGNATION AS A 2011 "ALL-AMERICAN CITY"

### HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. HUELSKAMP. Mr. Speaker, today I recognize the citizens of Scott City, Kansas. In June 2011, the National Civic League recognized Scott City as an "All-American City." Only ten communities across the country received this honor.

Scott City presented to a panel of judges three projects involving community collaboration. First, community members shared information about how the town has been holding potluck dinners and fiestas to bridge gaps that exist among different cultures. These events have facilitated greater dialogue and understanding among the various populations of Scott City.

Second, community members presented information about how town volunteers and First Baptist Church transformed a vacant storefront and warehouse into a community youth center. Known as "Area 96," this site provides a safe and welcoming place for young people to spend their free time, as well as a site for other community groups to utilize.

Third, Scott City residents shared how they have used the renovation and expansion of the Scott County Library as an opportunity to transform the role of the Library in the community from just a building to a community information center. Not only have they increased youth services and youth-driven programs, but they have also expanded their services and offerings for English language learners.

The achievements of Scott City, Kansas demonstrate that the efforts of communities and individuals provide the true backbone of America. I congratulate Scott City for this remarkable and well-deserved honor.

## EXPRESSING SUPPORT FOR THE CASCADIA MARINE TRAIL STUDY ACT

### HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. INSLEE. Mr. Speaker, I rise today to introduce the Cascadia Marine Trail Study Act.

The Cascadia Marine Trail is a unique, 150-mile long water trail stretching from the Canadian border south through the San Juan Islands and Puget Sound to Olympia. It was started in the late 1980s by local kayaking enthusiasts wanting to highlight the 5,000-year old small-boating tradition along the water trail. The trail's popularity with both tourists and local boating enthusiasts is a testament to its grassroots beginnings and extensive local support, making it a valuable economic and natural State resource.

The Cascadia Marine Trail has been recognized as a significant environmental and tourist resource, including its 1994 designation as a National Recreation Trail and in 1999 as a National Millennium Trail. In 2005, the American Canoe Association (ACA) designated the trail an ACA-Recommended Water Trail. The trail's 55 safe pull-out zones and campsites are managed by a multitude of State and local agencies, despite its extensive length.

First introduced in 2009, the Cascadia Marine Trail Study Act directs the Department of Interior to study the feasibility of adding the trail to the National Trail system. During the

110th Congress, the bill passed the House with unanimous support but unfortunately, did not make it out of the Senate. Today, with bipartisan support, I am reintroducing the Cascadia Marine Trail Study Act. The trail's designation as a National Scenic or Historic Trail, if recommended by the Department of Interior study mandated by the bill, would raise its national profile, provide for educational and interpretive resources along the trail, and coordinate management and restoration of the trail and surrounding campsites.

The bill has wide support, including endorsements from several national and statewide recreation and conservation agencies and is the first step toward enhancing the visibility and preservation of this historic water trail. Designation will help encourage tourism across the Puget Sound, which will bolster local economies in the Puget Sound region. According to the Prosperity Partnership, the Tourism and Visitor industry cluster is the region's largest economic cluster with more than 108,000 jobs across the region. Scenic travel to places like the Cascadia Marine Trail can have a significant impact on the economy of surrounding communities. The Cascadia Marine Trail is a State gem that deserves its chance to become a national treasure.

## TRIBUTE TO JOYCE REILLY DREW UNIVERSITY—CENTER FOR HOLOCAUST/GENOCIDE STUDIES

### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the U.S. House of Representatives to join me as I rise to offer this tribute to Ms. Joyce Reilly as she is honored on April 3, 2011 by Drew University's Center for Holocaust/Genocide Studies. This is a well deserved honor for a woman who has had an incredible interest in and compassion for her fellow human beings who have been victims of various atrocities throughout our world. The empathy that Joyce Reilly demonstrates towards all people in general, and victims of genocide, in particular manifested itself when she was a young child. She knew at a tender age that she would want to spend her life promoting activities and serving in capacities that would be meaningful to the survivors and would honor the memories of the deceased.

Joyce Reilly's passion to increase awareness of past and on-going acts of genocide led her to pursue multiple ventures to achieve her goals. Fortunately, for Drew University, Joyce began her studies in psychology there in 1970. She would subsequently work in various residential communities serving emotionally and mentally challenged individuals. These communities included Great Britain, Germany and the United States. A life-long learner, Joyce continued her studies at Mercy College (now Sunbridge College) in Detroit, Michigan and served for a time on its faculty. In 1982, Joyce would move to Kimberton, Pennsylvania where she founded Gheel House, a therapeutic community for the mentally and emotionally challenged. She serves as the Executive Director of Logos Foundation, a foundation for young children endangered by war, poverty and their effects on modern life. Through Joyce's many interactions with victims and visits to sites of conflicts, she has been able to meet some incredible people including Dr. Joseph Seberenzi, former Speaker of the House in Rwanda who is a survivor of that genocide and a conflict transformation specialist.

Mr. Speaker, I know that the family, friends and associates of the Ms. Reilly are proud of what she has accomplished so far in her life. My office has been fortunate to work with her on Darfur through a collaboration of organizations working to assist those victims who struggle daily to overcome the tragedies visited on its people in recent years. I ask my fellow members to join me in this tribute to excellence. It is a proud moment for me to acknowledge her today and to let her know how much all of us appreciate the work she continues to do.

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. CONNOLLY of Virginia. Mr. Chair, the Republican Energy and Water Appropriations Act would take American energy policy back to the 19th century. It slashes funding for solar, advanced vehicles, building efficiency, biomass, home weatherization, advanced energy research, and loan guarantees for renewable energy. Incredibly, as gas prices remain high the Republicans gut funding for fuel efficient automobiles. These cuts would be devastating for domestic manufacturers of renewable energy and energy efficiency technology, as well as our domestic auto industry. Consider the magnitude of these cuts:

$97 million cut in solar funding, helping Chinese solar manufacturers at the expense of American producers;

$46 million cut in fuel efficient vehicles, hurting consumers at the pump while putting American auto producers at a competitive disadvantage;

$61 million cut in building efficiency, which will expose consumers to rising electricity prices;

$33 million cut in biomass research, crippling a critical domestic industry which supports the timber industry and diversifies our electric generation portfolio;

$141 million cut in home weatherization funding, an 81 percent cut in a program which saves consumers money by reducing their electric bills;

$80 million cut for Advanced Research Projects Agency—Energy (ARPA–E), a 44 percent cut in critical clean energy research;

$1 billion cut in High Speed Rail money, punishing commuters in congested regions like the Washington-Boston corridor;

$43 million cut in science research, hurting American competitiveness.

In addition to attacking domestic manufacturing, clean energy production, and efficiency programs, the Republicans have inserted policy riders to advance a radical anti-environmental agenda at the expense of Americans' public health. Their rider would block the Army Corps of Engineers and Environmental Protection Agency from implementing the Clean Water Act in accordance with guidance from those agencies. Following a decade of regulatory uncertainty following a Supreme Court decision, the Obama administration issued guidance to help landowners comply with the Clean Water Act. This guidance replaced a confusing patchwork of lower level court decisions and produced the regulatory certainty that Republicans claim to support. This rider demonstrates that the Republicans are not actually interested in regulatory "certainty;" they are simply opposed to any and all environmental and public health regulations. Since they know they can't win a public debate about these public health standards, they are trying to sneak in a rider to an appropriations bill to block the regulations.

American entrepreneurs developed the solar panel and more sophisticated wind turbines, yet China and Germany are far ahead of American wind and solar production. The Obama administration requested funding increases for renewable energy so America can compete and produce clean energy generation domestically, but the Republican budget would actually slash clean energy funding.

Just as the American auto industry is recovering as a result of the Obama Administration's intervention, this Republican appropriations bill would gut advanced vehicle and vehicle efficiency funding. We need to produce more efficient vehicles and advanced hybrid vehicles here in America. The American auto industry declined in the 1970s and 1980s as foreign competitors produced more efficient, technologically advanced vehicles. We cannot afford to give up market share again by surrendering to foreign auto producers.

This Republican appropriations bill is not an isolated attack on American clean energy production and industrial competitiveness. The same Republicans have already passed legislation in the House—thankfully not the Senate—to repeal the Clean Air Act and block vehicle efficiency standards in the future. Never in the history of American politics has one of our great political parties been so blind to opportunities of the future and determined to repeat failures of the past.

We have a real opportunity to boost American manufacturing of clean energy and advanced vehicles. Just as a result of the Recovery Act we went from producing 2 percent to 40 percent of advanced batteries. We cannot allow this Republican appropriations bill to reverse that progress and cripple American industrial competitiveness.

## HONORING THE MEN AND WOMAN WHO TRAVEL WITH THE NATIONAL 9/11 FLAG

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize those who travel around the country with the National 9/11 Flag.

During the cleanup of the World Trade Center disaster, a large tattered flag was pulled from the rubble. It was brought by the New York Says Thank You organization to Greensburg, Kansas, a city recovering from a devastating tornado. Volunteers from New York, along with Greensburg residents, began stitching the flag back together with flags recovered from the Greensburg tornado.

The flag now serves as a symbol of American resilience and compassion. It is carried around our country by a core group of volunteers. These patriotic men and women sacrifice their time and travel at their own expense to bring this great flag to millions throughout our Nation. Over 160 million Americans have seen the flag in person or on television. The flag is brought to public events, town gatherings and cultural and sporting events. At these venues, American citizens can share their national pride, even adding stitches to the flag itself. Once completed, the flag will become part of the National September 11th Memorial Museum being built at the World Trade Center.

On March 29, 2011, the National 9/11 Flag was brought to the York Beach, Maine Fire Department. Alongside FDNY firefighters, local service heroes stitched a patch onto the flag. Through their participation, these remarkable men and women add to the American story, honoring their colleagues and country in an historic stitching ceremony. The volunteers who travel with the flag and the local community partners make these events of honor possible.

Mr. Speaker, please join me again in recognizing the men and women who participate in the restoration of the National 9/11 Flag.

## IN RECOGNITION OF DR. MELVIN SABSHIN

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PALLONE. Mr. Speaker, I rise today to remember former medical director for the American Psychiatric Association, Melvin Sabshin. He led the APA for nearly a quarter century from 1974 to 1997. Dr. Sabshin passed away on Saturday, June 4, 2011 at the age of 85.

Dr. Sabshin's accomplishments during his tenure at APA were numerous and far-reaching. His years at APA included publication of new editions of the ''Diagnostic and Statistical Manual of Mental Disorders''; creation of the American Psychiatric Press, Inc.; development of practice guidelines; and strengthening research, advocacy, education, and public affairs. Sabshin also increased the organization's international involvement, including working with the World Psychiatric Association and others to help end the use of psychiatry to suppress political dissent in the Soviet Union and other parts of the world.

Dr. Sabshin completed high school at age 14 and undergraduate study at the age of 17. After brief service in the U.S. Army, he completed medical school and residency at Tulane University. He then took a position at the Michael Reese Hospital in Chicago and in 1961 became the head of the Department of Psychiatry at the University of Illinois College of Medicine. During this time he became active in the APA and was elected to the Board of Trustees; and in 1974 he became the medical director of the APA.

Upon his retirement from APA, he took a position as clinical professor of psychiatry with the University of Maryland and lived much of the year in London with his British wife, where he was an Honorary Fellow of the Royal College of Psychiatrists. He remained active in the APA, attending Annual Meetings throughout his retirement.

Dr. Sabshin was an author of dozens of scientific articles and author or co-author of 7 books, including his latest in 2008, ''Changing American Psychiatry: a Personal Perspective,'' in which he describes changes in psychiatry in the post WWII era and later and offers his insights into the process. Dr. Sabshin is survived by his wife, Marion Bennathan, his son, James Sabshin, MD, and 4 granddaughters.

Mr. Speaker, please join me in remembering the life of Dr. Melvin Sabshin.

## TRIBUTE TO MR. JOSEPH LITTLEFIELD

### HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. PINGREE of Maine. Mr. Speaker, I rise today to recognize and honor Mr. Joseph Littlefield of Ogunquit, Maine. Mr. Littlefield, through lifelong service to his community and state, exemplifies Maine's great tradition of philanthropy. Last year, Mr. Littlefield was named the 'Ogunquit Outstanding Citizen.' In addition to his many other generous contributions to the community, Mr. Littlefield recently donated Beach Plum Farm to the Great Works Regional Land Trust. Beach Plum Farm is a 23-acre parcel of land that includes paths, gardens, and beach plums. Residents of Ogunquit will have this wonderful gift forever. Mr. Littlefield's continued passion for life and his generosity to his fellow Mainers is extraordinary. Maine is fortunate to have Mr. Littlefield in our community.

## PERSONAL EXPLANATION

### HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. BRALEY of Iowa. Mr. Speaker, I regret missing floor votes on Monday, July 11, 2011. Had I registered my vote, I would have voted: ''yea'' on rollcall 534, On Agreeing to the Amendment for H.R. 2354—Tierney of Massachusetts amendment; ''nay'' on rollcall 535, On Agreeing to the Amendment for H.R. 2354—Graves of Missouri amendment; ''yea'' on rollcall 536, On Agreeing to the Amendment for H.R. 2354—Scalise of Louisiana amendment; ''nay'' on rollcall 537, On Agreeing to the Amendment for H.R. 2354—Woodall of Georgia amendment; ''nay'' on rollcall 538, On Agreeing to the Amendment for H.R. 2354—McClintock of California amendment.

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. GENE GREEN of Texas. Mr. Chair, I am opposed to the Energy and Water Appropriations bill for several reasons. One of these reasons is that while this bill increases funding for the Army Corps of Engineers over the President's request, it is not enough. The Army Corps completes critical flood control projects and also, through dredging at our port, fuels a major economic engine in Harris County, Texas and has been underfunded for years.

The Port of Houston is the largest foreign tonnage port and the largest petrochemical port in the country. In fact, it moves the second largest amount of cargo in the country, as 8.5 percent of our nation's cargo moves through the Port of Houston. The commerce that occurs at our port is critical to our nation's energy and chemical sectors and to our country's ability to trade and move goods throughout our country. It is a port of national significance, but has not received the attention that is necessary to answer the challenges we face in the near future. Despite the national importance of our port, it is facing a dredging crisis.

Currently, the Houston Ship Channel is dredged to a depth of 43 feet, but it should be as deep as 45 feet. The Panama Canal is expanding and when it is completed, the Port of Houston should be able to accept ships that take full advantage of the larger Panama Canal, and for this, they would need a depth of 50 feet.

However, under both the President's plan and the Republicans' plan, dredging at the Port of Houston will be left behind. For instance, under the President's budget, dredging at the Port is funded at about $23 million, that is $60 million lower than the amount necessary to just get the port to a depth of 45 feet, let alone 50 feet, which would be millions more.

As we confront the dual challenges of adopting policies that create jobs and reduce the debt, funding for dredging projects is an item that, while costly, will have more of a positive impact on our economy than a negative impact on our deficit. The Texas Transportation Institute performed a study and determined that a direct economic impact of the loss of 1 foot of draft is $373 million. The majority of this impact is lost business opportunities due to light loading of non-containerized vessels. As the dredging crisis at the port continues to worsen, this opportunity cost will quickly accelerate.

HONORING SHANNA ROGERS

## HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Shanna Rogers for being awarded the Geneva Kirk Award by the United Way Foundation of Androscoggin.

The Geneva Kirk Award is given annually by United Way of Androscoggin to individuals who have exemplified exceptional volunteerism and service to their community. This award honors the memory of Miss Geneva Kirk who dedicated her life to serving and teaching others, volunteering in a multitude of ways throughout her community.

Shanna was nominated by Androscoggin Head Start not only for her innumerable hours of community service to Head Start, but also for her involvement in many other organizations. Shanna works part time for the Neighborhood Housing League and part time at Marché's Restaurant. In her work with the Neighborhood Housing League, Shanna acts as an advocate for safe and affordable housing and as a mentor for tenants in the downtown area.

Her tireless work with Androscoggin Head Start and Child Care, the Neighborhood Housing League, the Women's Wisdom Center and the Visible Community demonstrates a commitment to her neighbors that would have made Geneva proud.

I am extremely honored to congratulate Shanna Rogers for receiving the Geneva Kirk Award.

Mr. Speaker, please join me again in recognizing Shanna Rogers for her hard work within her community.

PERSONAL EXPLANATION

## HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday July 11, 2011, due to inclement weather in Chicago, Illinois, I was unable to cast my votes for Roll Nos. 534, 535, 536, 537, and 538. I was originally booked on United flight 5347 from Springfield at 1:15 (CST), connecting to United flight 704 leaving O'Hare at 3:00 p.m. and arriving in DCA at 5:49 (EST). I was also backed up on American Airlines flight 3879 departing Chicago O'Hare at 3:00 p.m. However, I could not make either of these flights due to my original flight from Springfield being delayed until 7:00 p.m.

Had I been present, my votes would have been as follows:

For Roll No. 534, to increase funding for the Corps of Engineers construction by $133.8 million and Operations and Maintenance by $51 million and reduce funding for Nuclear Energy by $133.8 million and Fossil Energy Research and Development by $92.8 million, I would have voted "nay."

For Roll No. 535, which reduces the Missouri River Fish and Wildlife project by $1.75 million and increases Operations and Maintenance by $1 million for levee repair, I would have voted "yea." In light of the recent problems with flooding along the Mississippi, this transfer appears to be prudent.

For Roll No. 536, which transfer $6.3 million from supervision and general administrative expenses in the headquarters of the Corps of Engineers to Corps of Engineers, Operation and Maintenance for dredging of waterways, I would have voted "yea." As with Roll No. 535, recent flooding problems make this transfer prudent.

For Roll No. 537, which transfers $4.9 million from Operation and Maintenance for global warming to the Spending Reduction Account, I would have voted "yea." I have voted to cut spending in a host of programs including those with which I am sympathetic.

For Roll No. 538, which transfers $3.25 billion from various research and development accounts and regional economic development commissions to the Spending Reduction Account, I would have voted "yea." I have voted to cut spending in a host of programs including those with which I am sympathetic.

TRIBUTE TO GEORGE E. SHINHOSTER ON HIS RETIREMENT

## HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to pay tribute to the wonderful accomplishments of George E. Shinhoster as he retires from the YMCA of Newark and Vicinity. It is indeed a pleasure for me to add my congratulations to that of his family, friends and colleagues of the YMCA of Newark and Vicinity as they celebrate in honor of a man who has been a Y professional for 42 years. George Shinhoster's retirement caps a career that saw him lead YMCA's in multiple states, with his last five years in the great State of New Jersey. For all the contributions he has made over the years, Mr. Shinhoster deserves to be feted on this marvelous albeit melancholy occasion.

The YMCA of Newark and Vicinity was fortunate to have the wise counsel of Mr. Shinhoster who came to serve on an interim basis but chose to stay for an extended period. During his tenure, he was able to accomplish multiple goals including a positive financial bottom line. Rarely has an individual been such an integral part of an organization where strength, integrity and determination have been the driving forces of the outcomes. Clearly, George Shinhoster could have taken his talents elsewhere but the Y is extremely grateful that he chose to follow in the footsteps of the Rev. Dr. Martin Luther King whom he credits with much of his accomplishments. In fact, George Shinhoster worked with Dr. King during the 1960's and participated in many of the civil rights initiatives occurring during that time period.

Based on George's background, it is no wonder that he chose to serve and he has served well. As a strong supporter of the YMCA and its programs for youth, it has been my personal honor to work with George Shinhoster and to encourage his efforts. These efforts have led to some dynamic improvements and image boosting for the YMCA of Newark and Vicinity. His sphere of influence in the community and the synergy he helped to create through the Y will always be remembered by the many employees, program participants and residents of the Greater Newark area.

Mr. Speaker, I know my fellow members of the House of Representatives agree that George Shinhoster has been a part of the fabric of the Y and that his departure will leave a void that will not easily be filled. We wish him well in this new phase of his life.

TRIBUTE TO ORANGE BEACH FIRE CHIEF FORNEY HOWARD

## HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. BONNER. Mr. Speaker, I rise to honor an Alabamian who for more than four decades has stood watch over our communities and our homes, keeping us safe and risking his own life to protect many who were at the mercy of a fire, an accident or an unforeseen force of nature. On August 1, 2011, after forty-plus years on the job, Orange Beach Fire Chief Forney Howard will officially retire from public service.

Chief Howard began his career in 1970 when he joined the City of Birmingham Fire Department. During his tenure in Alabama's largest city, Forney served in the Birmingham Fire Training Division for five years as Captain and as Chief of Training.

During this period, over 500 firefighter recruits were trained and graduated from the Training Bureau. He had the privilege of being part of the first Paramedic Class in the State of Alabama during the summer of 1973. Chief Howard also served on the Birmingham's first Hazmat Unit. At his retirement from the Birmingham Fire Department, Chief Howard was Battalion Chief for the eastern district of that city.

In April 2004, Forney Howard was appointed interim Fire Chief for the City of Orange Beach, and the following month the Mayor and City Council made the appointment permanent. His experience and abilities were put to the test early in his tenure when Hurricane Ivan made a direct hit on the Gulf Coast in September of that same year.

Under his tenure with the City of Orange Beach, Chief Howard has lead the Fire Department and their Emergency Management services through several tropical occurrences, fires and the 2010 BP oil spill. Less than two months prior to his retirement, Chief Howard directed the Orange Beach Fire and Rescue response effort that successfully battled a significant wildfire at Gulf State Park.

In 2003, Chief Howard was recognized as Firefighter of the Year in Orange Beach, Emergency Technician of the Year for Birmingham in 1975, and has been a past member and past President of the Alabama Association of Fire Chiefs. Chief Howard served on the Board of Trustees for South Baldwin Medical Center and is currently on the Board of Trustees for Columbia Southern University, where he also obtained a Bachelor's Degree in Fire Science.

A fighter who not only saved lives but is also a cancer survivor himself, Chief Howard recently told the Baldwin Register newspaper that he always enjoyed his work. ''People's worst days are our best days. That's when we get to do something and help people. We don't want anybody's house to burn, but we know what to do. We don't want anybody to get sick and have chest pains, but we know how to help you.''

On behalf of the people of South Alabama, I wish to extend heartfelt congratulations to Chief Howard for a job well done. As he prepares to pass the reins of leadership, I wish all the best to him, his lovely wife of 45 years, Joyce, and their two children and five grandchildren.

## HONORING DENNIS SISTO OF NAPA COUNTY, CALIFORNIA

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Dennis Sisto on the occasion of his retirement as President and Chief Executive Officer of Queen of the Valley Medical Center in Napa County, California. Dennis' leadership will be truly missed by his colleagues, health care providers throughout the Napa Valley, and all of us in the community who have received superlative medical care from Queen of the Valley during his tenure.

Mr. Sisto has worked for the St. Joseph Health System for 24 years, the past 13 at Queen of the Valley. During his tenure, Mr. Sisto has served as a champion for the health and quality of life of the Napa Valley community. To respond to the needs of the underserved, he has guided Queen of the Valley through the creation of new healthcare services for persons with HIV/AIDS, cancer and congestive heart failure directed at individuals without health insurance or the ability to pay. His leadership has ushered in an unprecedented era of technological growth for healthcare services in the Valley, bringing such advancements as the robotic surgical system, a state-of-the-art linear accelerator for the treatment of cancer patients, an imaging center housing the world's finest diagnostic imaging equipment and a new Outpatient Surgery and Procedure Center.

To focus on improving community health and address higher than anticipated Napa County mortality rates for heart disease, cancer, stroke and diabetes, Mr. Sisto has led the development process for the Queen of the Valley Medical Center's state of the art Wellness Center. The Wellness Center offers specialized programs directed at persons who need professional supervision to manage high health risks and chronic diseases. The creation of the Wellness Center represents a significant step forward for hospitals, allowing Queen of the Valley to expand its focus beyond acute care and offer preventive services as well as health maintenance programs.

Running a medical center in today's world can be a thankless and complex endeavor. It takes great integrity, a steady hand and a strong sense of humor to handle all of the challenges that present themselves to our hospital administrators. Mr. Sisto has all of these qualities in spades. He has been an invaluable partner in the process as we implement the Affordable Care Act on the local level.

Mr. Speaker, it is my distinct pleasure to recognize Dennis Sisto for his many years of service to Napa and to thank him for his contributions to wellness and health care in our community. I join his wife, Judy, his entire family and our colleagues in wishing him the best as he enters this new phase of his life.

## RECOGNIZING POLAND'S PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION

### HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. QUIGLEY. Mr. Speaker, I rise today on behalf of more than 110,000 of my constituents who are of Polish descent. It is my privilege to recognize Poland's upcoming role as the governing body of the Presidency of the Council of the European Union. Poland is a strong democratic ally of the United States with diplomatic relations extending over 100 years.

Last summer I had the privilege to travel to Poland and represent the United States Congress in Krakow for the Community of Democracies conference. Over 70 ambassadors from democratic and currently democratizing countries around the world attended the 10th annual conference to discuss the future of democracy, and to celebrate the progress democracy has made so far. The trip was an important moment in solidifying the already strong diplomatic relations between the United States and Poland and displayed Poland's ardent commitment to furthering democratic ideals throughout the world.

While in Poland, I was fortunate to witness democracy first hand as the nation held a special presidential election after the death of Polish President Lech Kaczyński. President Kaczyński and 95 others tragically died in a plane crash over Smolensk, Russia more than a year ago. During my trip to Krakow, I visited the Wawel Cathedral and had the opportunity to lay a wreath at the grave of President Kaczyński. I was truly humbled to experience the incredible sense of community and togetherness among the Polish people. I was also honored to deliver a flag and resolution from Speaker NANCY PELOSI on behalf of the House of Representatives to Foreign Minister Radoslaw Sikorski expressing sympathy for Poland's tragic loss. The people of the United States stand in admiration of the strength of Poland's democratic institutions, which have persevered through three centuries filled with many hardships.

Poland's leadership at the Presidency of the European Union not only displays Poland's influence in the world's largest economy, but shows the growing respect the Nation receives as a growing voice within the global community. During its presidency, Poland hopes to successfully lead the European Union toward economic growth and an enhanced political community. Poland has set forth a ''Six-Month Program'' that will focus on three fundamental priorities it plans to achieve during their tenure. The first priority is to increase integration with the European Union. Poland believes that it is essential to create an internally competitive Europe and to develop a single European market within the European Union. Additionally, Poland hopes to improve the security of the European Union primarily through an increase in economic macro-security and through the development of an external energy policy. Poland also believes that the European Union will significantly benefit from economic openness. The Presidency will fully support any European Union enlargement, as well as continued participation in the World Trade Organization.

Finally, I would like to remind my colleagues in Congress to keep in mind Poland's inclusion in the Visa Waiver Program, supported by President Obama. With Poland's strong diplomatic ties to the United States, and their growing influence in the European Union and the global community, it is important to finally include Poland in visa-free travel to the United States. It will promote increased relations with a democratic ally of the United States, as well as further encourage economic and cultural exchange between our two nations.

Mr. Speaker, I am honored to recognize Poland as the upcoming governing body of the Presidency of the Council of the European Union. Poland is a democratic ally of the United States whose diplomatic relations will only strengthen as time goes on. I have seen first-hand their commitment to democracy and their importance as an ally.

## REAFFIRMING COMMITMENT TO NEGOTIATED SETTLEMENT OF ISRAELI-PALESTINIAN CONFLICT

SPEECH OF

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 6, 2011*

Mr. MARKEY. Madam Speaker, I rise to express my support for House Resolution 268, which reaffirms the United States' longstanding policy of support for Israel and a fair, negotiated conclusion to the ongoing Israeli-Palestinian conflict. This resolution clearly describes the final outcome that the United States has envisioned for so long: two democratic states—one Israeli, one Palestinian—living side-by-side in peace, security, and mutual recognition.

Attempts by the Palestinians to circumvent direct negotiations between the two nations, most recently through attempts to hold a U.N. vote on Palestinian statehood, have greatly undermined the peace process. The United States must continue to oppose such one-sided attempts and work to ensure that the final peace settlement is reached through fair negotiations between the Israelis and the Palestinians.

The resolution also confirms the United States' refusal to recognize any Palestinian government that has not publicly and formally renounced terrorism. This declaration is especially important in the wake of the recent union of the Fatah and Hamas factions, the latter of which the United States and the European Union deem a terrorist organization. Peace talks cannot continue until Palestinian leaders dismantle all terrorist infrastructure embodied within Hamas, take all necessary steps to counter incitements to violence, and accept

Israel's right to exist. This position is in keeping with current American policy, including statutory requirements for U.S. funding to the Palestinian Authority.

I believe strongly in the need to protect the lives of innocent civilians on both sides of the conflict, including the need to recognize and promptly address the dire humanitarian needs of Palestinians living in the Gaza strip. I strongly condemn the actions of Hamas, which has embedded its fighters and leaders in private homes and mosques as they use Palestinian civilians as human shields, target Israeli civilians, and force Israel to take decisive action in the Gaza Strip to protect its population living under the daily threat of rocket attacks. The United States should continue to pressure Hamas to abandon its reckless endangerment of both the Palestinian and the Israeli people, and to fully renounce violence so that humanitarian aid to Gaza can continue and true peace talks can proceed. It is only through such peace talks that the two countries will be able to reach a negotiated settlement that will bring peace, security, and stability to the Israelis and Palestinians.

## BETTER USE OF LIGHT BULBS ACT

SPEECH OF

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in opposition to H.R. 2417, the so-called Better Use of Light Bulbs (BULB) Act.

H.R. 2417 would repeal the lighting energy efficiency standards set in the Energy Independence Security Act (EISA) of 2007. This would be a major setback in improving energy efficiency in homes and buildings across the country. Commercial and residential lighting consume over 20 percent of all electricity generated in the United States. The new lighting standards will help to ensure that more energy efficient light bulbs, including incandescents and LEDs, are available to consumers in order to reduce energy use.

The BULB Act would also repeal California's state standards on lighting efficiency that went into effect earlier this year. In a letter from California Senator Darrell Steinberg, President pro Tempore, Senator Alex Padilla, Chair of the Senate Committee on Energy, Utilities and Communications, and Senator Fran Pavley, Chair of the Senate Committee on Natural Resources and Water, opposing H.R. 2417, they note that the state's standards could save California consumers $35.6 million in electrical costs.

Mr. Speaker, the current lighting standard has generated domestic jobs as companies have created new and innovative lighting options for consumers. For example, Philips Lumileds Lighting Company has a manufacturing facility that makes LEDs for energy efficient LED light bulbs in San Jose, California. This facility creates hundreds of local jobs, while traditional incandescent light bulbs are mainly manufactured abroad. The EISA energy efficiency standard is an opportunity for the United States to build a domestic manufacturing industry, generating jobs and economic activity.

H.R. 2417 is a job killer, and I urge my colleagues to join me in voting no on H.R. 2417.

## HONORING THE TOWN OF EXETER

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to honor the families who petitioned the General Court in Boston on February 16, 1811, to incorporate the town of Exeter in the state of Maine. On July 23, 2011, Exeter officially celebrates its bicentennial.

At the time of the 1810 Census, Exeter was home to 140 people comprising 40 different families. Working together to settle and clear the land, a thriving community was established. In only the second official town meeting, the community voted to raise $200 for the purpose of building schools. The town went on to become famous for its apple orchards and its saw and grist mills, as well as the Exeter Fair, which occurred every September from 1867 to 1950, drawing families from all over New England.

Today, the people of Exeter celebrate the bicentennial of their town filled with the same local spirit and sense of common purpose that filled the founding 40 families as they petitioned to have their community recognized. These individuals embody the hardworking people of Maine who throughout our history have embraced the challenges and opportunities of living in our state.

It is an honor and a privilege to represent the people of Exeter, and I am pleased to have the opportunity to help this community celebrate its 200th anniversary.

Mr. Speaker, please join me in wishing all the citizens of Exeter well on this joyous occasion.

## HONORING ELLIS COGDILL

### HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved husband, father, grandfather, and veteran Ellis Cogdill.

Ellis Cogdill passed away Sunday, June 26th at the Alexander Cohen Hospice House in Hughson, CA after a devastating, albeit blessedly brief battle with cancer. Ellis was born in Stanberry, Missouri. He and his family lived and farmed in the area until Ellis enlisted in the U.S. Navy at age 17. He served 4 years as a radioman before being discharged from active duty in 1949. Ellis then returned home, where he met the love of his life, Viola Cruse, his soon to be devoted wife of over 61 years. A few months later, Ellis was called to serve again, during the Korean conflict, a duty that would last another 16 months and send him to China and the South Pacific.

In 1957 the family moved to California, settling in San Bernardino, where Ellis worked as a union meat cutter for Stater Bros. Markets for 33 years. In 1962 he was called to be a Deacon at Immanuel Baptist Church, where he diligently served the Lord for many years.

After retirement Ellis and Vi moved to Madera, and were active at the First So. Baptist Church. In 2005 Ellis and Vi moved to Modesto, living at Friendly Village MHP, and attending first, Orangeburg Ave. Baptist Church, then, the North Modesto Church of God.

Ellis loved to travel, spend time with his family and friends, help those in need, or do just about anything that was productive. Not one to play, he valued work, and never shirked a duty or a task. Those that knew him, knew his word was his bond, and as good as gold.

Ellis is preceded in death by his parents, Ellis Sr. and Mary Cogdill, and brother Tom Cogdill. He is survived by his wife and sons, Dave and Jim, and daughter Diana; daughters-in-law, Stephanie and Lisa; grandchildren David and Carrie, Meghan and Mike, Ryan and Brandon, Karma, Lauren, Joel and Moneshay; and great-grandchildren Connor, Kathleen, Xiomara, Christian, and Ashton.

Mr. Speaker, please join me in honoring Ellis Cogdill for his service to United States of America and his example of excellence to those who knew him.

## PERSONAL EXPLANATION

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, on Friday, July 8, 2011 I was unable to be in Washington, DC and thus missed several rollcall votes. Had I been present, I would have voted "yea" on Nos. 528, 532, 533 and "nay" on Nos. 525, 526, 527, 529, 530, and 531.

## PERSONAL EXPLANATION

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained during the votes on July 7, 2011. Had I been present, I would have voted "aye" on rollcall No. 503, the Lee amendment to reduce funding for combat operations in Afghanistan.

## HONORING THE TOWN OF GREENVILLE, MAINE

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the town of Greenville, Maine as it celebrates its 175th anniversary on August 27, 2011.

Nestled along the edge of the largest mountain lake in the eastern United States, the Greenville community's history in Maine precedes the establishment of the State itself. Its land, originally just 6 square miles, was granted by the Massachusetts General Court to Saco Academy in 1812. After acquiring the Academy in 1824, Nathaniel Haskell joined with Oliver Young and John Smith in clearing trees near Wilson pond. It was just over a decade later that Henry Gower built the Seboomook House, and Greenville was incorporated from the Haskell Plantation.

In many ways, the history of Greenville stands in line with much of the State. Its residents have been farmers, lumbermen and mill workers. But somewhere between the cascades of Wilson's stream and the breathtaking vistas atop Indian Hill, the town puts forth its own unique identity. As the gateway to Moosehead and the Northern Woods, Greenville attracts thousands of visitors every year to witness the International Seaplane Fly-in, to ride the ''Kate'' up the lake or to camp in Maine's storied forests.

On August 27, this small town will celebrate its birthday with a week full of events and festivities commemorating this special milestone. I am pleased to share in the celebration as Greenville looks back on 175 years of rich and varied history.

Mr. Speaker, please join me in wishing all the citizens of Greenville, Maine, well on this joyous occasion.

## IN MEMORY OF LEONARD EARL ROBERTS, SR.

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. CLYBURN. Mr. Speaker, I would like to submit a tribute commemorating the life of Leonard Earl Roberts, Sr., a great husband, father, staff sergeant, and engineer. Mr. Roberts passed away last week, leaving a legacy of service to his family, friends, faith, community, and country. I had the pleasure of meeting Mr. Roberts and his lovely wife Mrs. Dessie Roberts during a visit to Washington a few years ago. I know that all who were close to him reflect on his memory with respect, admiration, and pride. While I did not know Mr. Roberts for an extended time, his grandson Marcus Mason is a great friend; I might add that his great-grandaughter Taelor served as an intern in my office for several summers. Mr. Roberts epitomized the Greatest Generation and a life well lived. I would like to submit the following heartfelt obituary for Mr. Roberts, written by his family.

THE LEGACY

''I hope you don't mind if we put down in words, how wonderful life has been with you in the world.''

December 30, 1925—Leonard Earl Roberts, Sr. entered the world at the height of the Harlem Renaissance. Born to Mary Queen Dorsey in Vidalia, Louisiana, Leonard Sr. was the eldest of five. Two brothers and one sister have preceded him in death. He attended and completed his secondary school education at Madison Parish Training School in Tallulah, Louisiana where he was an academic high achiever. He began demonstrating his engineering acuity by creating a hand carved, functioning orchestra that remained on display in the sandbox for several years following his graduation.

Leonard Sr. was no stranger to meeting and overcoming adversity. In his desire to serve his country he joined the Civilian Conservation Corps (CCC) at the young age of sixteen, where he participated in the efforts to rebuild our nation's infrastructure, supporting the economic recovery efforts from the Great Depression of the 1930s. Later that year, Leonard Sr. answered the call of his personal conviction and love of country and voluntarily enlisted in the US Army. Leonard Sr. stepped forward to defend our country following the events of Pearl Harbor, despite being under age. He quickly advanced to the rank of Staff Sergeant. Leonard Sr. was in the first wave to land on Omaha Beach during the Normandy invasion on June 6, 1944 as part of Operation Overlord, coined D-Day by the world. He successfully led his platoon on many battles until his honorable discharge on December 7, 1945 at the close of the war. His entire outfit received the Bronze Indian Arrowhead for Assault Trooper, the Cor-De-Guerre, France's highest military honor, and several other medals and honors.

Upon his return home, he quickly sought, found and married his childhood sweetheart, and life-long love and soul mate, Dessie. Leonard Sr. and Dessie began to build their family while also engaging in his academic pursuits. Leonard Sr. moved to Boston, Massachusetts, taking advantage of the GI Bill, made available to WWII veterans, where he attended Massachusetts Institute of Technology (MIT) and received his Engineering degree. Leonard Sr. began his family while in Las Vegas, NV and became father to Donna, Janet and Leonard Jr.

Leonard Sr. moved his family to Los Angeles, California, where Jacqueline and Keith were born, to begin his lifelong career in the aerospace industry. He designed a four axis machine for specialized production of precision oversized aircraft parts which revolutionized the industry. In 1972, Leonard Sr. established Roberts Aerospace Manufacturing Engineering Corporation (RAMEC) and continued to receive coveted government contracts as a result of his expertise in precision manufacturing for nearly four decades until the time of his passing. He was well known in the industry as a man of integrity.

After supporting his wife's philanthropic pursuits in Christianity and community service for over fifty years, Leonard Sr. or ''Mr. Honey'' as he was often referred to by members of the sororities Order of the Eastern Star and Top Ladies of Distinction, joined First African Methodist Episcopal Church in 1998 where he attended faithfully. Leonard Sr. valued God, Country and family above all else, demonstrated by his marriage to Dessie for sixty-five years and his commitment to his children Donna, Janet, Leonard, Jr., Jacqueline and Keith. His love will live forever in the hearts of his grandchildren Allen Talbert, Kellie Clay (deceased), Chanel Troy-Thompson, Danielle Benoit-Williams, Natalie Roberts, Raquel Roberts-Richards and Bridgette Craddock and great-grandchildren Taelor Chanel Mason, Jeraud, Jeremiah Jr. and Jehman Williams, Carl Quincy Clay, II, Lauren, Sydney and Brandon Talbert, and Rameses Earl Roberts Richards.

Leonard Sr. will be lovingly remembered by his sister Dottie, his nieces Cheri, Donna and Shanel along with a host of other relatives and friends.

He recently imparted the profound statement to his loved ones, a motto which he lived by, ''Everything is manageable in a family.'' Leonard Sr. lived his life by anticipating the outcome of an effort before beginning the task.

On Tuesday, July 5th God descended to call him home. It mattered not how straight the gate or how charged with punishment the scroll, Leonard Sr. was the master of his fate, he was the captain of his soul.

## BETTER USE OF LIGHT BULBS ACT

SPEECH OF

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. ISRAEL. Mr. Speaker, I rise to oppose the BULB Act. Plain and simple—this bill will hurt our competitive advantage against China.

As my colleagues on the other side of the aisle bring this bill to the floor to take a step backwards & repeal light bulb efficiency, China gets it and they're leaping forward. This year China is spending over a billion dollars to make energy efficient lighting. China knows they can save consumers money while putting their country on track to create the largest LED industry in the world.

With efficiency requirements, we can compete. We can create American jobs making better light bulbs that meet the new standards. More than 2,000 jobs have already been created at factories around the country. In the U.S., there are between 12,000 to 14,000 jobs related to lighting.

I do not want to send those jobs to China by handing over the next generation lighting industry to them. The light bulb has been a symbol of American ingenuity since the late 1800s. When Thomas Edison invented the light bulb, it revolutionized our economy and electricity around the world. If America wants to lead, we need to become more efficient. That is the way of the future. Already, the new standards are prompting manufacturers to build new plants and create jobs making more energy efficient lighting here. In my Congressional District, Veeco has done just that. Veeco's employee count on Long Island has doubled from 150–300 from 2009 to 2011.

Lighting manufacturers have invested millions of dollars to develop new lighting technologies and improve old ones so they're 30 percent more efficient by the end of this year.

Efficiency isn't not about saving energy. It's about saving money and giving consumers a solid return on their investment. The BULB Act does nothing to save our constituents money.

Current standards would save the average American family $100 on their electricity bills. I know my constituents want that $100 in their pockets.

That is why I urge my colleagues to join me in opposing this bill to help save money and energy while supporting U.S. manufacturing.

## INTRODUCTION OF THE MAKING WORK AND MARRIAGE PAY ACT

### HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PETRI. Mr. Speaker, today, I am introducing the Making Work and Marriage Pay Act of 2011. This legislation will establish a bipartisan commission to study the negative impact that high effective marginal rates can have on families as they attempt to improve their circumstances through work or marriage. The National Commission on Effective Marginal Tax Rates for Low-Income Families would provide an important opportunity for removing the disincentives that hold many back, in spite of their personal efforts to get ahead.

Federal and state governments provide financial assistance to low-income families through many means-tested programs and a variety of income tax credits. Each of these benefits is income-based, and as income rises benefits are reduced through phase-outs. These reductions occur at various earnings levels and on differing schedules.

While it is appropriate for benefits to be withdrawn as family income increases, not enough thought has been given to the combined impact on behavior of these multiple phase-outs. Different programs are created within separate Congressional committees and are implemented by assorted federal and state agencies. No one entity has the authority to consider our vast system as a whole. The Commission established under this Act would be given this task and charged with the responsibility to propose a legislative package to remove the disincentives to work and marriage that these high effective marginal rates impose.

Marginal rates matter. Economists have long contended that high tax rates affect the investment decisions of affluent individuals. People at all income levels, however, respond rationally to economic incentives and disincentives. If we want people to work their way into the middle class, we need to change a system which says that if you're poor and you struggle to earn a higher income, you won't be able to keep enough of it to make it all seem really worthwhile.

I have looked at the impact these marginal rates have on a typical single mother with two children living in Wisconsin. From $17,000 to $40,000 in earnings, this single parent would experience combined effective marginal tax rates in excess of 50 percent—averaging 59 percent between $24,000 and $41,000. At lower income levels, she even approaches a rate of 100 percent. Putting this into perspective, the U.S. corporate tax rate is 35 percent (one of the highest in the industrialized world). The highest U.S. income tax rate for individuals is also 35 percent.

Thus, for every dollar of new income earned by increased effort or the acquisition of new skills, this single mother finds herself only incrementally ahead and, perhaps, wondering whether her hard work is being justly rewarded. Despite the good intentions, these programs, in effect, offer no incentive to get ahead. Rather, the incentives are backwards and low-income workers often are encouraged to stay where they are.

The same dynamic can also affect an individual's decision whether to marry. Experts from across the political divide agree that marriage is good. Government policy, however, as enacted in this assortment of programs and phase-outs actually discourages marriage among low-income couples.

Varying benefit levels across the fifty states produce different results, but in Wisconsin, for a married couple with two children, the marriage penalty starts rising from about zero at $19,000 of combined income to $7,000 in after-tax income at $28,000 of combined earnings, which is what you get if two people earn minimum wage. At $42,000, the cost of being married reaches $8,154. That's a high price for a marriage license.

This penalty results from the high effective marginal tax rates produced by taxes and the phase-out of various benefit programs. As income rises, taxes go up and benefits go down. The couple that has combined their lives and their income sees a steeper loss of income than does the comparable couple that has remained unmarried. If marriage is a recognized good for both society and the individual couples, then government policy should not stand in the way of people choosing to marry.

It's time that Congress rationalizes this web of programs to ensure that hard work brings rewards by removing the punishingly high effective marginal tax rates faced by low-income individuals and families.

This is why I am introducing the Making Work and Marriage Pay Act.

My bill would authorize a Commission made up of Cabinet Secretaries, Governors, and recognized policy experts to recommend solutions for the problems posed by these high effective marginal tax rates. The Commission would be constructed to achieve partisan balance, input from states offering a varying level of income support, and expert participation from government and private sector experts.

The Commission would be charged with seeking a solution along certain policy lines, but would have full authority to offer additional policy recommendations. The Commission's recommendations would be in the form of a legislative blueprint to ease consideration of its comprehensive solution by the wide range of Congressional committees.

For too long, Congress has neglected to clean up the mess of uncoordinated federal benefit programs. The Making Work and Marriage Pay Act is the first step toward a benefit structure that rewards work and effort and reflects our shared belief that marriage is the basis of stable communities. I urge my colleagues to support this important legislation.

## PERSONAL EXPLANATION

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. BLUMENAUER. Mr. Speaker, I am submitting notice that I will not be able to attend the legislative sessions of the House of Representatives on the following dates that are currently scheduled. I will be absent from July 19 through July 22 and from August 2 through August 5 for the marriages of my daughter and my son.

## HONORING THE RECIPIENTS OF THE 2011 "FORTY UNDER 40" AWARD FOR EMERGING MAINE LEADERS

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate MaineTodayMedia and the Recipients of the 2011 "Forty under 40" Award for Emerging Maine Leaders.

The "Forty under 40" Award is given annually by MaineTodayMedia to talented individuals under the age of forty who are making significant contributions to their career field and to the community at large. The award honors Maine's emerging generation of leaders by acknowledging their achievement and recognizing their potential. These fresh faces represent the future of our state as they come to fill the big shoes left by Maine's historic line of leaders.

I would like to take this opportunity to recognize these distinguished individuals by name:

Wendy Ayotte, Jeff Badger, Josh Broder, Rob Brown, Kevin Bunker, Adam Burk, Lindsay Cadawallader, Michael Carey, Eric Conlon, Josh Davis, Gibson Fay-LeBlanc, Chelsea Fournier, Ben Fowlie, David Gulak, Shannon Haines, Erik Hayward, David Herring, Jr., Geoffrey Iacuessa, Drew Johnson, Charlie Longo.

Becky McKinnell, Corey Norman, Amanda O'Brien, Robert O'Brien, Shirar Patterson, Marc Pitman, Monica Quimby, Erica Quin-Easter, Brian Rayback, Jeremy Reynolds, Steve Sawczyn, Matthew Siegel, MD, Andrew Sigfridson, Liz Smith, Andrew Tenenbaum, Jesse Thompson, Scott Townsend, Jenna Vendil, Sean Wilkinson, Megan Williams.

Mr. Speaker, please join me in congratulating all the recipients of the 2011 "Forty under 40" Award for Emerging Maine Leaders and in thanking MaineTodayMedia for shining the spotlight on these outstanding individuals.

## OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,342,977,065,892.73.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $3,704,551,319,598.93 since then.

This debt and its interest payments we are passing to our children and all future Americans.

## CONGRATULATING TRINITY BALLPARK FOR HOSTING C.A.B.A. MIDWEST NATIONAL CHAMPIONSHIP

### HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. ROKITA. Mr. Speaker, I rise today to recognize and congratulate, Trinity Ballpark located in Noblesville, Indiana, for hosting this year's C.A.B.A. Midwest National Championship.

The Continental Amateur Baseball Association was developed by Ron Golden and Roger Tremaine in 1984 to provide youth the privilege to compete at the national level. C.A.B.A. hosts events at the national level for age groups 9–18. Since C.A.B.A. was first started, thousands of teams from nearly every state along with other countries including Panama, Guam, Brazil, the Dominican Republic, Mexico, Japan, and Canada have participated in C.A.B.A. Current Major League Baseball Stars, Alex Rodriguez and Todd Helton, were both Graduates of the Year of this superior organization.

I am proud to honor Trinity Ballpark for hosting this year's Midwest National Championship, and wish all the players the best of luck in the tournament. Today is a fine day to celebrate America's favorite pastime with elite players from all over the country.

## A MODEL FORD

### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. FOXX. Mr. Speaker, I wish to insert the following poem by Albert Carey Caswell into the CONGRESSIONAL RECORD. This poem is a fitting tribute to former First Lady Betty Ford.

A MODEL FORD

In life . . .
Do we dance? Or do we stand?
A . . .
A Model Ford . . .
A strong woman, our Nation loved and adored . . .
Nothing Ordinary about her!
About this Ford!
From behind the scenes, a star was born!
Touching hearts, so very deeply . . . so very warm!
Who became an activist, for our nation this!
A role model for women to look up to!
Who evolved and into a work of art . . . so grew!
The only person a great President, owed anything to!
Took away the shame, that women knew . . .
Giving them courage to speak up and out, to fight Cancer too!
With her profiles of courage, out of her own diseases . . . creating something new!
A place for all to so face, and battle and fight their dark demons too . . .
For in you, we all so saw ourselves so too!
As the Betty Ford Clinic grew into a haven for saving lives so true!
A place on this earth so very bright, to win that battle that fight!
Oh Yes, oh how you spoke up and out for women's rights!
A Mother . . . A Wife . . . A First Lady so very bright . . .
An activist who so brought her light!
A Midwesterner, through and through!
A Michigander True Blue!
To bless our Nation, me and you!
A Model Ford, and a Cadillac of first ladies too . . . who now so who . . .
Is up in Heaven as but an Angel, with her husband Gerald too!
Because in the end, in your life Betty . . . you danced!

In Memory of a great First Lady and a giving American, Betty Ford

—*By Albert Carey Caswell*

## HONORING THE TOWN OF EDDINGTON, MAINE

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the people of the town of Eddington, Maine, as they celebrate their community's bicentennial.

In 1784, after the close of the Revolutionary War, Colonel Jonathan Eddy was granted 9,000 acres on the east bank of the Penobscot River in appreciation of his services during the conflict. This area would later be incorporated in 1811 as the town of Eddington, becoming the 184th town in the District of Maine. Working together to clear the land, the early settlers erected buildings, planted crops and built roads. Town records over the years from the individual villages show saw and gristmills, a post office, general stores, churches, schools and other large and small enterprises. The town of Eddington illustrates the spirit of industry and perseverance that Maine people throughout history have demonstrated in embracing the challenges and opportunities of living in our state.

Eddington has shared in many of our nation's experiences. There is evidence of the Underground Railroad, and in the Civil War, one-eighth of the total population of the town was in service. Industrialization brought railroads to neighboring towns, small factories, and electric lights. The depression hit hard as the lumber industry began to diminish and mills were relocated. The conflicts of the twentieth century called upon many Eddington residents to protect their country, state and community, but the members of this town have always risen to the challenge.

Today, the people of Eddington celebrate the bicentennial of their town filled with the same local spirit and sense of common purpose that filled the first families as they petitioned to have their community recognized. These individuals embody the hardworking people of Maine.

Mr. Speaker, please join me in congratulating the people of Eddington. It is an honor and a privilege to represent them, and I am pleased to have this opportunity to help Eddington celebrate its 200th anniversary.

## PERSONAL EXPLANATION

### HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. NEUGEBAUER. Mr. Speaker, due to an unforeseen family medical emergency yesterday morning, I was unable to vote on amendments to H.R. 2354 that were rollcall vote numbers 534–538. Had I been present, I would have voted the following way on the amendments: rollcall No. 534, Tiernery of Massachusetts Amendment, "nay"; rollcall No. 535, Graves of Missouri Amendment, "yea"; rollcall No. 536, Scalise of Louisiana Amendment, "yea"; rollcall No. 537, Woodall of Georgia Amendment, "yea"; rollcall No. 538, McClintock of California, "yea."

## RECOGNIZING THE POVERELLO CENTER AND COMMEMORATING THE GRAND OPENING OF ITS NEW FOOD BANK AND THRIFT STORE

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize The Poverello Center of Wilton Manors, Florida and commemorate the grand opening of its new food bank and thrift store. For 25 years, The Poverello Center has been an institution in the Broward County community, providing support services to men, women, and children living with HIV/AIDS. With the dedication of its new, green facility at 2056 North Dixie Highway in Wilton Manors, The Poverello Center begins a new chapter in its mission of ensuring that individuals living with HIV/AIDS have life-sustaining food and basic living essentials.

The Poverello Center was founded in 1986 by Father Bill Collins, a man whose courage and compassion know no limits. At a time when many were turning their backs on individuals living with HIV/AIDS, Father Collins reached out to help them with the utmost understanding, respect, and love. Operating at first out of the trunk of his car, he used much of his pension to open the first Poverello food bank and thrift store in Pompano Beach. From those humble beginnings, The Poverello Center has continued to expand and improve its operations to better meet the needs of its clients.

Today, The Poverello Center provides a wide variety of support services to more than 2,500 low-income Broward County residents living with HIV/AIDS while protecting their privacy. Through its food bank, Poverello volunteers ensure that individuals receive 21 meals per week and meet the nutritional requirements necessary to remain adherent to their treatment. Furthermore, clients are given vouchers for clothing that can be redeemed in the Poverello thrift store. And, in order to help promote wellness and physical fitness, clients also have access to Poverello's full-service gym and alternative therapies annex.

Since Poverello's founding, Father Collins and his outstanding team of volunteers have helped over 12,600 lives touched by HIV/AIDS. Remarkably, they are able to provide these services completely free of charge. This would not be possible without the tremendous support of the community or critical HIV/AIDS programs at the state and national levels. That is why I pledge to continue doing everything in my power to help fund the Ryan White HIV/AIDS Program and other efforts that address the issues affecting individuals living with HIV/AIDS.

Mr. Speaker, as we recognize The Poverello Center's tremendous success and celebrate the dedication of its new home, I would like to take this opportunity to honor Father Bill Collins as well as each and every member of the Poverello team for all the hard work they continue to do on behalf of the AIDS community in Broward County and the least of us in our society. Their selflessness is a true inspiration to us all.

BETTER USE OF LIGHT BULBS ACT

SPEECH OF

## HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. VAN HOLLEN. Mr. Speaker, H.R. 2417 proposes to repeal bipartisan, common sense lighting efficiency standards signed into law by President Bush in 2007. These technology neutral standards simply call for efficiency improvements of 25 to 30 percent above traditional incandescent bulbs and are broadly supported by industry, environmental groups and consumers alike.

Mr. Speaker, lighting accounts for approximately 19 percent of our total electricity use. So the potential for energy savings in the lighting sector is substantial. In fact, when these new lighting efficiency standards take effect in 2012, they will save the average American household over $100 a year in lower electricity bills, negate the need for 30 large power plants and avoid approximately 100 million tons of carbon pollution, which is the equivalent of taking 17 million cars off the road.

Proponents of this bill falsely claim that these new standards will somehow eliminate incandescent bulbs or restrict consumer choice. In reality, major manufacturers including GE, Philips and Osram Sylvania are already manufacturing a number of bulbs—including incandescent bulbs—that meet the new efficiency standards. Additionally, these improved standards have drawn new entrants into the market, like North Carolina-based Cree, whose innovative LED products are creating jobs right here in the United States and giving consumers more choice, not less.

Mr. Speaker, the traditional incandescent bulb was invented over 100 years ago. We should no more turn back the clock on lighting efficiency than we should return to the days of ice boxes and the horse and buggy. This is fundamentally backward looking legislation that should be soundly rejected.

TRIBUTE TO HONORABLE RICARDO M. URBINA

## HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GONZALEZ. Mr. Speaker, I ask my colleagues to join me in honoring Judge Ricardo Manuel Urbina for his distinguished career and long outstanding service to his community.

Over the course of his career as an NCAA track and field champion and Georgetown University honors graduate, he distinguished himself as an athlete and a scholar. In the early years of his life, Judge Urbina was frequently recognized for his exceptional athletic achievements which included his running in the 1968 Olympic trials. After receiving his law degree in 1970, he continued to break barriers with every stride further earning a stellar reputation as a trial lawyer, academician and tenacious advocate for the fair and equal administration of law.

In 1981 President Reagan appointed him to the DC Superior Court. Thirteen years later, President Clinton appointed Judge Urbina to serve on the United States District Court for the District of Columbia where he currently presides after thirty years of service on the bench.

I am inspired by Judge Urbina's steadfast commitment to the law and strict adherence to the highest ethical standards. Numerous lawyers, judges, and Latino leaders have had the privilege to be mentored by Judge Urbina and have benefited from his counsel and guidance. He has inspired a diverse network of people to strive to reach their fullest potential and pursue their dreams.

Judge Urbina's career exemplifies not only notable legal accomplishments and a long history of achievements in every arena of endeavor, but also a man's tireless efforts to improve the line of succeeding generations. Mister Speaker, it is my distinct pleasure to congratulate Judge Urbina for his thirty years of service on the bench, to wish him the best as he assumes senior status and to recognize the many contributions he has made to the administration of justice.

HONORING MAUREEN AUBÉ

## HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today in recognition of the accomplishments of Maureen Aubé of Auburn, Maine.

Maureen is the recent recipient of the Jim Phillips Award bestowed upon her by United Way of America. The Jim Phillips Award is given to an individual who exemplifies the missions, visions and values of the United Way. Jim Phillips served United Way in numerous capacities over the years: marketing committee, campaigner, board member and board chairman prior to his death in 2002. The award is now given to one whom exhibits a character of compassion that is visible throughout his or her business, personal and family life.

I have had the honor to know Maureen personally, and she more than meets these standards. The United Way of America defines community impact as "mobilizing communities to create lasting changes in community conditions that improve lives." Maureen does just that. She has been a long-time volunteer with United Way, serving 4 terms on the Campaign Cabinet, as well as advocating for those in the National Guard and working on community revitalization and service projects through the Elks Club.

In addition to serving on the Androscoggin County Chamber of Commerce, Maureen is also a volunteer for the Public Theatre, the L/A Film Festival and the Regional Plan Advisory Committee. She also serves on the Ben Hayes Support Fund Committee.

Maureen has left a lasting mark on Androscoggin County and the state of Maine. On behalf of the people of Maine, it is with pride that I congratulate Maureen for her excellent work.

Mr. Speaker, please join me in congratulating Maureen Aubé on the receipt of this award and in thanking her for her dedication to the people of Maine.

PERSONAL EXPLANATION

## HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. SMITH of Nebraska. Mr. Speaker, on rollcall No. 526, I voted "yea," when I intended to vote, "nay."

HONORING PAUL SPANIOLA

## HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in congratulating Paul Spaniola for his 83rd year as the owner of Paul's Pipe Shop in Downtown Flint. Paul's Pipe shop is a local landmark and has resided in the same location for over 48 years.

Paul was born in Owosso, Michigan on January 29th, 1913. At the age of 15 he opened his original location in Morrice, Michigan. Shortly after, in 1930, he moved the shop to Swartz Creek. In 1948 he moved to Flint's Downtown District, where he resides to this day.

Paul is a world renowned pipe smoker and his reputation precedes him in the competitive pipe smoking community. Paul is the only person to win the International Association of Pipe Smokers World Championship six times. He won his first championship in 1951 smoking for over 68 minutes, again in 1966, 1970, 1973, 1977, and his last in 1992 smoking for over 98 minutes.

Through his travels as shop owner and world champion, Paul was able to smoke a pipe with many interesting people and celebrities. One very notable occasion came about when he was asked to teach Susan Hayward how to smoke a pipe for her role in "The President's Lady." Others include Charles Stewart Mott, Billy Martin and Gov. G. Mennen Williams. As well as maintaining his shop and winning championships Paul is involved in many local charities and community organizations.

Paul is known for his pipe shop but he is more than that. He is a devout Catholic and family man. Paul married Leona Merrill and had 11 children. In 1978, Leona passed away. Several years later, he married Doris Bloss and she had 3 children. All together, Paul has 14 children, 47 grandchildren, 74 great grandchildren and 10 great-great grand children.

Mr. Speaker I would like to congratulate my friend Paul Spaniola on his 83rd years in business and his commitment to the downtown area.

HONORING DR. DAVID BURR

## HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. FOXX. Mr. Speaker, it is with great sadness that I join the friends and family of Dr. David Burr in mourning his passing earlier this week.

Dr. Burr, the father of Senator RICHARD BURR, was a faithful pastor to many over the course of his decades of service as pastor at First Presbyterian Church in Winston-Salem, North Carolina. His was a life well lived and his passing leaves a great void in the community in which he was very active.

During his 90 years of life Dr. Burr exemplified an ethic of service. He served honorably in the Navy during World War II. He shepherded the flock at First Presbyterian with great care and compassion. And he never neglected the needs and lives of those around him in the community.

He was a great man who lived for God, who inspired by example and who will leave a legacy of love of which his family and friends can be proud.

Today the loved ones of Dr. Burr are in my prayers as they grieve this great loss and look forward to one day being reunited with a beloved husband, father, pastor and friend.

## PERSONAL EXPLANATION

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained during the votes on July 11, 2011. Had I been present, I would have voted "aye" on rollcall No. 534, the Tierney amendment to restore funding to the U.S. Army Corps of Engineers Construction and Operation and Maintenance accounts, and I would have voted "no" on rollcall Nos. 535, 536, 537, and 538.

## BETTER USE OF LIGHT BULBS ACT

SPEECH OF

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to explain my position on H.R. 2417, the Better Use of Light Bulbs Act. As a Member of Congress for nearly two decades, time and time again I have said that the best way to lower energy costs is to make homes, buildings, vehicles, and infrastructure more energy efficient. In the process, we also create jobs. I remain a steadfast supporter of energy efficiency initiatives, knowing that it is imperative for us as a country to develop an energy supply that is both sustainable and diverse in order to improve our quality of life and protect our environment.

My initial support in co-signing H.R. 2417 was to make light bulbs less expensive and more accessible for low-income families. People living in poverty and low-income elderly should not have to choose between paying their electric bill and buying food for themselves and their families. I initially added my name as a co-sponsor of this legislation with these citizens in mind; however, after hearing from the industry, my colleagues, and most importantly my constituents, I reconsidered my position on the bill and will vote against it.

## HONORING PAUL SANTORO, CRNA, MS, PRESIDENT OF THE AMERICAN ASSOCIATION OF NURSE ANESTHETISTS

### HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PETERS. Mr. Speaker, today I pay tribute to my constituent Paul Santoro, CRNA, MS. Mr. Santoro will soon complete his year as national president of the American Association of Nurse Anesthetists (AANA). I am proud that Mr. Santoro was tapped as the 2010–2011 President of this prestigious national organization.

Certified Registered Nurse Anesthetists (CRNAs) are advanced practice registered nurses who administer approximately 32 million anesthetics to patients each year. They work in every setting in which anesthesia is delivered including hospital surgical suites, obstetrical delivery rooms, ambulatory surgical centers, and the offices of dentists, podiatrists, and specialty surgeons. They also provide acute and chronic pain management services to patients in need of such care. CRNAs provide anesthesia for all types of surgical cases and, in some states, are the sole anesthesia providers in rural hospitals.

Mr. Santoro has contributed greatly to the health care community in southeast Michigan. He is the founder and Chief Executive Officer of Anesthesia Staffing Consultants, Inc. located in Bingham Farms, MI and a member of the allied medical staff at numerous hospitals and surgery centers in southeast and mid-Michigan. He graduated Magna Cum Laude from the University of Detroit Mercy with a bachelor's degree in science, and received his master's degree in nurse anesthesia from the Henry Ford Hospital/University of Detroit Mercy Nurse Anesthesia Program.

In addition to his current service as AANA President, Mr. Santoro has held various leadership positions in the AANA, including President-elect, Vice President, Treasurer, Region 3 Director, and has served on numerous committees. He is a former president of the Michigan Association of Nurse Anesthetists.

Mr. Santoro is a distinguished speaker on anesthesia and health care economics and has lectured nationwide on the safety, value and cost-effectiveness of CRNA care. During his AANA Presidency, Mr. Santoro was an important advocate for the practice of nurse anesthesia and its patients before federal agencies and members of Congress. He has worked tirelessly to promote the value of CRNAs to our health care system.

I extend my sincere congratulations to Mr. Santoro today on a job well done. His service to the AANA and the patients of southeast Michigan is commendable, and I ask my colleagues to join me in recognizing his notable career and outstanding achievements.

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. SABLAN. Mr. Chair, I rise in support of the amendment, submitted by my good friends and colleagues, Mr. TONKO and Mr. BASS, that would amend the Energy and Water Appropriations for fiscal year 2012. This important amendment restores funds to the fiscal year 2011 levels for the Weatherization Assistance Program and the State Energy Program.

The Weatherization Assistance Program funds are intended to assist low-income residents across America and in the Northern Marianas to improve energy efficiency, and reduce energy use and fossil fuel emissions in their homes. The State Energy Program funds are used to upgrade the efficiency of government facilities, promote consumer products that carry the Energy Star® label, or invest in alternative fuel infrastructure. Both of these funds create an immediate benefit to those being helped and a long-term benefit to all of us by investing in our future and making America more energy efficient and independent.

Where I live in the Northern Mariana Islands, electricity rates are unusually high and energy efficiency is especially important due to the fact that the Northern Mariana Islands is warmer in climate. As of January 2011, the current base electric rate is 28 cents per kilowatt hour. While electricity rates are one of the highest in the nation, our minimum wage is only $5.05 an hour. Therefore, we rely on Weatherization Assistance Program to give funds to those who need the assistance the most and to alleviate the financial burden that energy use places on these low-income households.

The Northern Mariana Islands also benefit from the funds under the State Energy Program by creating programs like the Green Energy Project, which provided for solar panels and wind turbines at eleven of our public schools on Saipan, Tinian and Rota.

In addition, both programs have the potential and a record of creating local jobs in the construction and energy sectors for all of our economies. I ask that my colleagues support the Tonko-Bass amendment. It is an amendment that helps those that need it most and invests in our future. Taking money away from these very important programs hurts our progress in energy efficiency and job creation.

HONORING THE LIFE OF LEONARD EARL ROBERTS, SR.

## HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. RICHARDSON. Mr. Speaker, I rise today to honor the life of Leonard Earl Roberts, Sr., a public servant and community leader, whose impact has been felt not only in Southern California but throughout the country. On July 5, 2011, Mr. Roberts passed away, leaving a legacy of service and patriotism. He will be dearly missed by all who knew him, but his example lives on in all of the lives that he touched.

Leonard Earl Roberts, Sr. was born in 1925—at the height of the Harlem Renaissance—to Mary Queen Dorsey in Vidalia, Louisiana.

Leonard, Sr. was no stranger to meeting and overcoming adversity. In his desire to serve his country, he joined the Civilian Conservation Corps (CCC) at the young age of sixteen, where he participated in the efforts to rebuild our Nation's infrastructure during the economic recovery efforts from the Great Depression. Later that year, Leonard, Sr. stepped forward to defend our country following the events of Pearl Harbor, despite being under age, and quickly advanced to the rank of staff sergeant. Leonard, Sr. was in the first wave to land on Omaha Beach during the Normandy invasion on June 6, 1944, as part of Operation Overlord, now known to most of the world as D-Day. He successfully led his platoon in many battles until his honorable discharge on December 7, 1945 at the close of the war. His entire outfit received the Bronze Indian Arrowhead for Assault Trooper, the Cor-De-Guerre—France's highest military honor—and several other medals and honors.

Upon his return home after military service, he sought out and married his childhood sweetheart, Dessie. Leonard, Sr. and Dessie moved to Boston, Massachusetts, taking advantage of the GI Bill and attending the Massachusetts Institute of Technology (MIT), where he received an Engineering degree. In the following years, Leonard and Dessie welcomed three children to the family—Donna, Janet, and Leonard, Jr.

Leonard, Sr. soon moved his family to Los Angeles, California—where children Jacqueline and Keith were born—to begin his lifelong career in the Aerospace industry which was his civilian way of continuing his service to our country. He designed a four axis machine for specialized production of precision oversized aircraft parts which revolutionized the industry. In 1972, Leonard, Sr. established Roberts Aerospace Manufacturing Engineering Corporation (RAMEC), and continued to receive coveted government contracts, as a result of his expertise in precision manufacturing for nearly four decades until the time of his passing. Equally of note, Mr. Roberts was well known in the industry as a man of integrity.

Leonard, Sr. valued God, Country and, above all else, family, which is demonstrated by his marriage to Dessie for sixty-five years and his commitment to his children. His love will live forever in the hearts of his Grandchildren Allen Talbert, Kellie Clay (deceased), Chanel Troy-Thompson, Danielle Benoit-Williams, Natalie Roberts, Raquel Roberts-Richards and Bridgette Craddock and Grandchildren Tealor Chanel Mason, Jeraud, Jeremiah Jr. and Jehman Williams, Carl Quincy Clay, II, Lauren, Sydney and Brandon Talbert, Rameses Earl Roberts Richards, and Marcus Sebastian Mason.

Leonard, Sr. will be lovingly remembered by his sister Dottie and his nieces Cheri, Donna and Shanel, along with a host of other relatives and friends.

He recently imparted the profound statement to his loved ones, a motto which he lived by, "Everything is manageable in a family." Leonard, Sr. lived his life by anticipating the outcome of an effort before beginning the task. It mattered not how straight the gate or how charged with punishment the scroll, Leonard Sr. was the master of his fate, he was the captain of his soul.

My thoughts and prayers are with the Leonard E. Roberts family. His passing is an enormous loss for my district, Southern California, and the Nation as a whole.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

## HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. CONYERS. Mr. Chair, today I rise in opposition to the H.R. 2354, the Fiscal Year 2012 Energy & Water Development Appropriations Bill. In particular, I oppose the provisions of this legislation that would rescind all remaining unobligated high-speed rail American Recovery and Reinvestment Act funds. The rescission would eliminate rail funding for the high-speed Chicago to Detroit line, eliminate thousands of jobs, and provide fewer travel options for my constituents.

Well over $492 million is cut from three projects, which are critical components of this high speed rail line. Even worse, these cuts would eliminate more than 13,000 jobs in a community where good paying jobs are few and far between.

High speed rail would give my constituents a viable and green commuting option in the Midwest. Having the ability to travel from Detroit to Chicago with the speed of a plane flight would open the doors to new business investments in the Metro Detroit area and connect major markets in the Midwest. It would be a win-win for consumers and business.

Mr. Chair, it is appalling that this body seems to lack the courage to strive for greatness for America.

Franklin Coolidge had that courage. He worked with Congress to create the Hoover Dam.

Dwight Eisenhower had that courage. He worked with Congress to create the National Highway System.

John Kennedy had that courage. He and Congress sent our country to the moon.

Where is this body's courage? Where is the belief that America can still do and build great things? Do we still have the desire to be the best, or will we let China lead the way on when it comes to manufacturing and high speed rail in the 21st Century?

I for one believe America can, and must, be a leader when it comes to investing in our country's economic future. I urge my colleagues to reject this defeatist bill and embrace a 21st century transit system.

COMMEMORATING THE LIFE AND CONTRIBUTIONS OF FORMER FIRST LADY BETTY FORD

## HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mrs. BONO MACK. Mr. Speaker, I rise today to pay tribute to one of the most influential and transformative First Ladies of our time, Betty Ford.

Born Elizabeth Ann Bloomer on April 8, 1918, Betty grew up in Michigan and studied dance, which ultimately helped lead her to the city of New York where she found work as a model and taught children to support her studies. In 1948, Betty married Gerald R. Ford, the future President of the United States, shortly before he began serving the first of his 13 successful terms in the U.S. House of Representatives. Mrs. Ford made it clear early on that her first priority was her family, but, it soon became apparent that would not be her only role in public life.

As First Lady during a particularly turbulent time for our Nation, Mrs. Ford spoke plainly and openly about the challenges confronting all Americans; and the people loved her for her candor and common sense. The Ford family reflected the core values of the American people, but, they were also not afraid to let the Nation see that their family was not perfect simply because it resided in the White House. Mrs. Ford spoke openly about the struggles their family faced and became one of the first women in public life to discuss her own battles with breast cancer and prescription drug addiction. Sharing her story raised the level of public consciousness and understanding of these important issues and made it "OK" for people to seek treatment and recovery.

Although her actions as First Lady had an immediate and profound impact on American culture, her work after she left the White House may have had the biggest impact on ensuring her lasting legacy as a leader in the recovery movement.

Following their time in the White House, President and Mrs. Ford relocated to Rancho Mirage, California and Vail, Colorado. As full-time residents of Rancho Mirage, they resided in the Congressional District which I would come to have the honor of representing, and I was incredibly proud to call the Fords constituents and dear friends. The Fords were fixtures in our desert community and many local residents counted them as friends. President and Mrs. Ford contributed greatly to countless worthwhile causes and generously shared that most precious of commodities, their time. In 2008, I proudly authored a bill designating their neighborhood post office as the "Gerald

R. Ford Post Office Building'' in honor of my mentor and friend, and Betty's beloved late husband.

In 1982, The Betty Ford Clinic, now known the world over as the Betty Ford Center, opened its doors on the Eisenhower Medical Center campus to provide those seeking treatment of alcohol and substance abuse addiction with a state of the art program to help them on their journey to recovery. Betty Ford, whose name has become synonymous with recovery and treatment, greeted countless patients and visitors with a simple salutation, ''hello, my name is Betty Ford and I'm an alcoholic and drug addict.'' Nearly 30 years later, over 90,000 people have been treated at the center, including those of humble means to some of the wealthiest and most famous celebrities in the world.

As Co-Chair of the Congressional Caucus on Prescription Drug Abuse, I dedicate my work on the caucus to her memory and will continue to work tirelessly to advance the causes to which Mrs. Ford devoted much of her adult life. As a woman, I am especially grateful for the path she blazed, and consider her a great role model for any generation of women who want to make our Nation and the world a better place.

And as someone whose family, like so many others, has been affected by addiction, I am personally forever indebted to Mrs. Ford and have the utmost respect for her leadership on this important issue. Mrs. Ford was a great First Lady, a remarkable woman and valued friend. Our Nation has lost a national treasure with her passing, and I extend my deepest condolences to her family and all those who loved her.

Mr. Speaker, please join me in commemorating the life and contributions of First Lady Betty Ford, who departed this earth on July 8, 2011. Her memory will live on through her many good works and our country is enriched for her life and service. May God Bless her, and God Bless America.

## BETTER USE OF LIGHT BULBS ACT

SPEECH OF

### HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. HIRONO. Mr. Speaker, I rise today in opposition to H.R. 2417, the BULB Act. This bill does nothing to shed light on a bipartisan law that will save families money on their energy bills. In fact, this bill repeals that common-sense law.

A question has been circulating in the media regarding this bill lately—how many Members of the House does it take to change a light bulb?

The answer, at least in 2007, was 314—that's the number of House Members who voted for the Energy Independence and Security Act of 2007.

Of those 314 Members 95 were Republicans—so was the President who signed the bill into law.

Why? Because this was a good, common-sense idea: Let's make new light bulbs that use 25–30 percent less energy than incandescent bulbs by 2012, and 65 percent less by 2020.

For families, that means an average savings of $200 a year. In Hawaii, where we pay some of the highest energy prices in the country, families will save approximately $225. The Department of Energy estimates that these standards will save U.S. households nationally $6 billion in 2015 alone.

What's even better: Improving energy efficiency has also helped spur innovation on the part of U.S. manufacturers—creating an estimated 2,000 American jobs to date and giving Americans even More offerings to choose from when it comes to light bulbs.

That's right: Americans have even more choices when it comes to light bulbs. This bipartisan law did not outlaw any type of bulb.

Consumers can still choose to purchase the familiar looking bulbs that were initially invented by Thomas Edison—the only difference is that the new ones use up to 30 percent less electricity. So the idea that this bill is limiting consumer choice is simply false.

But there are many other benefits as well to improving the energy efficiency of our light bulbs: The National Resources Defense Council estimates that over the long-term these standards will save as much energy as produced by 30 large power plants each year. They will also help prevent 100 million tons of carbon dioxide from polluting our air annually.

So these standards will help to expand consumer choice, save families money, increase energy efficiency, lessen air pollution, and create jobs.

Given the state of the economy, it seems to me that instead of wasting time trying to repeal a law that has been such a success, we should be spending our time trying to pass more laws like it.

So I hope that we will short-circuit this ideologically driven legislation, and keep the lights on at the factories and in the homes of the people who are benefitting from these standards.

I urge my colleagues to join me in opposing this legislation.

## REAFFIRMING COMMITMENT TO NEGOTIATED SETTLEMENT OF ISRAELI-PALESTINIAN CONFLICT

SPEECH OF

### HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 6, 2011*

Ms. MCCOLLUM. Madam Speaker, as someone who cares deeply about the State of Israel and the rights of the Palestinian people, I have serious concerns with H. Res. 268. This resolution does not advance U.S. interests, fails to contribute constructively to reviving the dormant peace process, and ignores the courageous efforts of Israelis and Palestinians willing to take the very difficult steps needed to achieve peace. Therefore, I cannot endorse a congressional statement that does not further the cause of peace and security for Israelis and Palestinians.

Last month, I visited Israel and the West Bank as a member of a fact finding mission sponsored by the J Street Education Fund. In every meeting I had with Israelis and Palestinians they shared their hopes for the future. They expressed their desires for peace. They want to live with security. They want the opportunity to make their own futures. Everyone I met with, from Israeli government officials to regular citizens, from President Abbas to Palestinian civil society leaders, said the status quo is unacceptable and a ''two-state solution'' is the only outcome that will ensure security and a lasting peace.

Yet, is a ''two-state solution'' achievable? This is increasingly unclear as Israel and Palestinians continue to take unilateral steps that weaken the prospect for negotiations leading to a comprehensive and final peace agreement. This is both disappointing and detrimental to the ultimate goal both sides claim they seek.

For example, the Palestinian Authority's diplomatic quest to seek recognition from the United Nations for an independent ''State of Palestine'' is a mistake, despite the legitimate and deeply felt desires of the Palestinians to live in their own free, independent and sovereign state. I told senior Palestinian officials directly when I was in the West Bank that such a move is not helpful to their goal or U.S. efforts to advance the peace process. Regardless of the outcome of any actions taken at the United Nations in September, the only path to a legitimate, lasting Palestinian state will be the result of a negotiated agreement with Israel. This is the path that both sides must continue to pursue.

With regard to the unity government between Fatah and Hamas, it will likely be impossible for a legitimate peace process and final negotiated agreement to take place with the Palestinian people governed by two distinct political entities. Hamas and Israel are at war, thus the term: Israeli-Palestinian conflict. A peace process that allows the Palestinians to be fragmented and factionalized will not yield peace or security, only lasting conflict—Palestinian against Palestinian, as well as Palestinian against Israeli.

Hamas must agree to the Quartets conditions, but then again there is no possibility that Israel would ever negotiate a final agreement without such conditions. If in-fact Fatah and Hamas (with the on-going help of Egypt) can work together to achieve legitimacy within the international community by renouncing terrorism and recognizing the State of Israel then there is a real opportunity for a path to peace. If this is not possible then I am doubtful the peace process will advance to the point where a Palestinian state can be created.

H. Res. 268 highlights that the U.S. has ''provided more than $3.5 billion cumulatively in direct bilateral assistance to the Palestinians'' and calls for an end of U.S. assistance if the unity government does not embrace the Quartets principles. The foreign assistance the U.S. provides the Palestinian Authority contributes to economic stability, security training, infrastructure development, and the building of democratic institutions—the foundation of a future Palestinian state. This aid not only benefits the Palestinian people and their nascent institutions, but Israel as well. Israel cannot negotiate a peace agreement and end the occupation of Palestinian lands if a future a Palestinian state is not viable. Cutting off aid would harm both Palestinian and Israeli interests.

If Congress actually were to cut off aid it would also send a signal to the entire Arab world that the U.S. has abandoned the Palestinian people. The damage to the U.S. status in the Arab and entire Muslim world would be incalculable.

Based on the text of H. Res. 268 it would appear that it is only the actions of Palestinians that undermine the possibility of a negotiated peace. There is no mention in the resolution of, for example, illegal Israeli settlement expansion into Palestinian lands. Obviously illegal Israeli settlements and outposts are a contentious and serious obstacle to peace. Israeli settlements and their continued expansion have been universally condemned by the world community because they make a contiguous Palestinian state increasingly impossible to achieve. If a ''two-state solution'' is ever to be achieved the settlement issue must be confronted, not ignored as Congress has chosen to do in this resolution.

The policy realities that must be confronted and resolved to achieve a ''two-state solution'' are complex, sometimes painful, and often fraught with traps. Yet, for many in Congress, ''two-state solution'' has become a phrase that has many different definitions, most of which could never result in a peace agreement or the creation of a Palestinian state. Member of Congress can utter the phrase ''two-state solution'' and then act to make such a solution less possible. This resolution is an example of such a proclivity.

In my estimation achieving a ''two-state solution'' will require the U.S. to maintain its traditional role as honest-broker in this decades long conflict. During my visit to the region I was constantly surprised by both Israelis and Palestinians who innocently and insistently called upon the U.S. to resolve the conflict, create the environment for negotiations, and achieve the goal of a two-state solution. I reminded everyone I encountered that the responsibility and burden of making the difficult political choices for peace were theirs and not something the U.S. can dictate.

There is no doubt that the U.S. must maintain and strengthen the special relationship we have with the State of Israel. Israel is a trusted ally and will remain so long into the future. At the same time the U.S. has the opportunity to play a historical role in the creation of a new Palestinian state, allowing for the self-determination of the Palestinian people and greater security for Israel.

These relationships provide the U.S. with the opportunity and obligation to remain faithful to facilitating negotiations and putting the difficult, uncomfortable issues to be resolved on the table with the goal of achieving a final peace agreement. President Obama deserves credit for holding both sides accountable and for making both sides feel uncomfortable. If the U.S. abandons our traditional honest-broker role to become an advocate for Israel or Palestinians then this conflict will never be resolved, it will likely simmer and boil over into a future of violence that we should all fear.

Israelis and Palestinians—and the Americans who care deeply about the future of Israel as well as a future Palestinian state—deserve much more than this resolution offers. They deserve an honest, open, and constructive debate that advances U.S. interests for peace, security, democracy, dignity, freedom, and self-determination throughout the Middle East. The future of Israel is at stake. The future is at stake for millions of Palestinians seeking a national identity and the freedom to make their own state. The American people deserve more than what H. Res. 268 offers.

On H. Res. 268 I will vote present. This resolution is another example of U.S. domestic political interests trumping the best interests of U.S. foreign policy. If a ''two-state solution'' is to be a reality this resolution does not get Israelis or Palestinians one inch closer to negotiations. Congress should be investing it time and energy as an honest-broker encouraging both sides to end the posturing and cease the obstructions to negotiations. Time is running out and we should be encouraging a revival of the peace process and focused negotiations—before it is too late.

# *Daily Digest*

# Senate

## *Chamber Action*

*Routine Proceedings, pages S4493–S4533*

**Measures Introduced:** Six bills were introduced, as follows: S. 1346–1351. **Page S4517**

**Measures Considered:**

**Sense of the Senate Regarding the Budget Deficit—Agreement:** Senate continued consideration of S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit, taking action on the following amendments proposed thereto: **Pages S4503–05, S4505–15**

Pending:

Reid Amendment No. 529, to change the enactment date. **Page S4503**

Reid Amendment No. 530 (to Amendment No. 529), of a perfecting nature. **Page S4503**

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid Amendment No. 531, of a perfecting nature. **Page S4503**

Reid Amendment No. 532 (to the instructions (Amendment No. 531) of the motion to commit), of a perfecting nature. **Page S4503**

Reid Amendment No. 533 (to Amendment No. 532), of a perfecting nature. **Page S4503**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Wednesday, July 13, 2011; with one hour of debate, equally divided and controlled between the two Leaders, or their designees, prior to the cloture vote on the bill; provided further, that the filing deadline for all second-degree amendments to the bill be at 10 a.m., on Wednesday, July 13, 2011. **Page S4532**

**Former Charleston Naval Base Land Exchange Act—Referral Agreement:** A unanimous-consent agreement was reached providing that the Committee on Energy and Natural Resources be discharged from further consideration of S. 869, to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority, and the bill then be referred to the Committee on Homeland Security and Governmental Affairs. **Page S4532**

**Nominations Received:** Senate received the following nominations:

Matan Aryeh Koch, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

Stephanie Orlando, of New York, to be a Member of the National Council on Disability for the remainder of the term expiring September 17, 2011.

Stephanie Orlando, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2014. **Page S4533**

**Additional Cosponsors:** **Pages S4517–18**

**Statements on Introduced Bills/Resolutions:** **Pages S4518–29**

**Additional Statements:** **Pages S4516–17**

**Amendments Submitted:** **Pages S4529–32**

**Notices of Hearings/Meetings:** **Page S4532**

**Authorities for Committees to Meet:** **Page S4532**

**Privileges of the Floor:** **Page S4532**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 4:47 p.m., until 9:30 a.m. on Wednesday, July 13, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4532.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### INVESTOR PROTECTION AFTER THE FINANCIAL CRISIS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine enhanced investor protection after the financial crisis, after receiving testimony from Lynn E. Turner, former Chief Accountant, and Harvey L. Pitt, former Chairman, both of the Securities and Exchange Commission; David Massey, North American Securities Administration Association, Inc., Wilmington, North Carolina; Lynnette Kelly Hotchkiss, Municipal Securities Rulemaking Board, Alexandria, Virginia; Paul S. Atkins, American Enterprise Institute, Washington, D.C.; Barbara Roper, Consumer Federation of America, Pueblo, Colorado; and Anne Simpson, California Public Employees' Retirement System, Sacramento.

**GEOTHERMAL AND SOLAR ENERGY BILLS**

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine S. 1160, to improve the administration of the Department of Energy, S. 1108, to provide local communities with tools to make solar permitting more efficient, and S. 1142, to promote the mapping and development of the United States geothermal resources by establishing a direct loan program for high risk geothermal exploration wells, to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, after receiving testimony from Steven G. Chalk, Deputy Assistant Secretary of Energy for Renewable Energy, Office of Energy Efficiency and Renewable Energy; Douglas A. Dougherty, The Geothermal Exchange Organization, Springfield, Illinois; and Holly Gordon, SunRun Inc., San Francisco, California.

**SAFE DRINKING WATER ACT'S UNREGULATED DRINKING WATER CONTAMINANTS PROGRAM OVERSIGHT**

*Committee on Environment and Public Works:* Committee concluded an oversight hearing to examine the Environmental Protection Agency's implementation of the Safe Drinking Water Act's Unregulated Drinking Water Contaminants Program, after receiving testimony from David C. Trimble, Director, Natural Resources and Environment, Government Accountability Office; Robert Perciasepe, Deputy Administrator, and Jeffrey K. Griffiths, Chair, Drinking Water Committee, Science Advisory Board, both of the Environmental Protection Agency; Lynn Goldman, George Washington University School of Public Health and Health Services, on behalf of the American Public Health Association, Joseph A. Cotruvo, Joseph Cotruvo and Associates, and Steven R. Patierno, George Washington University Cancer Institute, all of Washington, D.C.; and Anthony Araiza, West Valley Water District, Rialto, California.

**NEW TECHNOLOGY AND PRIVATE SECTOR BUSINESS PRACTICES**

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine if new technology and private sector business practices can cut waste and fraud in Medicare and Medicaid, focusing on additional actions needed to support program integrity efforts at centers for Medicare and Medicaid, after receiving testimony from Peter Budetti, Deputy Administrator, and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, and Lewis Morris, Chief Counsel, Office of Inspector General, both of the Department of Health and Human Services; Joel C. Willemssen, Managing Director, Information Technology, Government Accountability Office; and Louis Saccoccio, National Health Care Anti-Fraud Association (NHCAA), Boston, Massachusetts.

**PENSIONS**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine pensions, focusing on building a strong middle class and strong economy, after receiving testimony from Diane Oakley, National Institute on Retirement Security, and David Marchick, Carlyle Group, both of Washington, D.C.; Christopher T. Stephen, National Rural Electric Cooperative Association, Arlington, Virginia; and Edmond P. Bertheaud, Jr., DuPont Company, Wilmington, Delaware, on behalf of the American Benefits Council.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 12 public bills, H.R. 2496–2507 were introduced.

Pages H4944–45

**Additional Cosponsors:** Page H4946

**Reports Filed:** Reports were filed today as follows:

H.R. 1062, to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes (H. Rept. 112–142);

H.R. 1082, to amend the Investment Advisers Act of 1940 to provide a registration exemption for private equity fund advisers, and for other purposes, with an amendment (H. Rept. 112–143); and

H. Res. 347, providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes (H. Rept. 112–144);

First Semiannual Report on the Activities of the Committee on Appropriations for the 112th Congress (H. Rept. 112–145). **Page H4944**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Buerkle to act as Speaker pro tempore for today. **Page H4855**

**Recess:** The House recessed at 11:39 a.m. and reconvened at 12 noon. **Page H4866**

**Energy and Water Development and Related Agencies Appropriations Act, 2012:** The House resumed consideration of H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012. Consideration of the measure began on Friday, July 8th. **Pages H4877–87**

Agreed to:

Sessions amendment that was debated on July 11th that strikes section 102 (by a recorded vote of 224 ayes to 196 noes, Roll No. 539). **Pages H4877–78**

Rejected:

Moran amendment that was debated on July 11th that sought to strike section 109 (by a recorded vote of 170 ayes to 250 noes, Roll No. 540); **Pages H4878–79**

Markey amendment that was debated on July 11th that sought to increase funding, by offset, for Energy Efficiency and Renewable Energy by $100 million (by a recorded vote of 154 ayes to 266 noes, Roll No. 541); **Page H4879**

Lamborn amendment (No. 5 printed in the Congressional Record of July 7, 2011) that was debated on July 11th that sought to strike language with respect to the allocation of weatherization assistance funds (by a recorded vote of 164 ayes to 259 noes, Roll No. 542); **Pages H4879–80**

Connolly amendment that was debated on July 11th that sought to increase funding, by offset, for Energy Efficiency and Renewable Energy by $46 million (by a recorded vote of 173 ayes to 249 noes, Roll No. 543); **Pages H4880–81**

Miller (NC) amendment that was debated on July 11th that sought to increase funding, by offset, for Energy Efficiency and Renewable Energy by $24,018,000 (by a recorded vote of 179 ayes to 244 noes, Roll No. 544); **Page H4881**

Broun (GA) amendment that was debated on July 11th that sought to reduce funding for Energy Efficiency and Renewable Energy by $26,510,000 and apply the savings to the spending reduction account (by a recorded vote of 131 ayes to 292 noes, Roll No. 545); **Pages H4881–82**

Welch amendment that was debated on July 11th that sought to increase funding, by offset, for Energy Efficiency and Renewable Energy by $491 million (by a recorded vote of 123 ayes to 300 noes, Roll No. 546); **Pages H4882–83**

Pompeo amendment that was debated on July 11th that sought to reduce funding for Energy Efficiency and Renewable Energy by $45,641,000 and apply the savings to the spending reduction account (by a recorded vote of 127 ayes to 296 noes, Roll No. 547); **Page H4883**

Tonko amendment that was debated on July 11th that sought to increase funding, by offset, for Energy Efficiency and Renewable Energy by $226,800,000 (by a recorded vote of 149 ayes to 273 noes, Roll No. 548); **Pages H4883–84**

Garrett amendment that was debated on July 11th that sought to reduce various accounts by a total of $500 million and apply the savings to the deficit reduction account (by a recorded vote of 149 ayes to 274 noes, Roll No. 549); **Pages H4884–85**

Wu amendment that was debated on July 11th that sought to increase funding, by offset, for Energy Efficiency and Renewable Energy by $60,500,000 (by a recorded vote of 196 ayes to 228 noes, Roll No. 550); **Page H4885**

McClintock amendment that was debated on July 11th that sought to reduce funding for Energy Efficiency and Renewable Energy by $166,143,000 and apply the savings to the spending reduction account (by a recorded vote of 119 ayes to 305 noes, Roll No. 551); **Pages H4885–86**

Schiff amendment that was debated on July 11th that sought to redirect $10 million in funding with respect to Nuclear Energy (by a recorded vote of 167 ayes to 257 noes, Roll No. 552); and **Pages H4886–87**

Garamendi amendment that was debated on July 11 that sought to increase funding, by offset, for the Advanced Research Projects Agency by $450 million (by a recorded vote of 145 ayes to 276 noes, Roll No. 553). **Page H4887**

H. Res. 337, the rule providing for consideration of the bill, was agreed to on Friday, July 8th.

**Flood Insurance Reform Act of 2011:** The House passed H.R. 1309, to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, by a recorded vote of 406 ayes to 22 noes, Roll No. 562. **Pages H4870–77, H4887–H4926**

Rejected the Boswell motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 181 ayes to 244 noes, Roll No. 561. **Pages H4921–25**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H4888**

Agreed to:

Biggert en bloc amendment that consists of the following amendments printed in H. Rept. 112–138: Biggert amendment (No. 1) that makes technical corrections to the bill; Matsui amendment (No. 6) that modifies language in the bill so that newly mapped properties are phased in to full actuarial, flood insurance rates at a consistent rate of 20% per year over 5 years and requires that newly mapped properties pay 100% of actuarial rates at the end of the 5-year phase-in; Terry amendment (No. 7) that protects insureds during a "flood in progress," if the insured has purchased flood insurance and has not sustained damage or loss within the 30-day window; Waters amendment (No. 8), as modified, that streamlines and reauthorizes the Flood Mitigation Assistance Program, the Repetitive Flood Claims Program and the Severe Repetitive Loss Program in order to improve their effectiveness and efficiency; Palazzo amendment (No. 9) that ensures that there is adequate representation from Gulf Coast States on the Technical Mapping Advisory Panel; Burton amendment (No. 12) that requires written notification by first class mail to each property owner affected by a proposed change in flood elevations, prior to the 90-day appeal period; Cuellar amendment (No. 15) that requires the Administrator to communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas; Palazzo amendment (No. 18) that affords policy holders the right to request engineering reports and other documents relied on by the Administrator and/or participating companies in determining whether the damage was caused by flood or any other peril; Luetkemeyer amendment (No. 21) that requires FEMA to study their processes and procedures for making an FIP determination and report their findings to Congress within six months from the date of enactment of the underlying bill; Canseco amendment (No. 22) that requires the administrator of FEMA to report to Congress within 6 months of the bill becoming law a plan for how the agency can pay back within 10 years the roughly $18 billion it currently owes to Treasury; and Walz amendment (No. 24) that allows state and local governments to use the Army Corps of Engineers to evaluate locally-operated levee systems which were either built or designed by the Corps, and which are being reaccredited as part of a National Flood Insurance Program remapping; **Pages H4895–99**

Schock amendment (No. 2 printed in H. Rept. 112–138) that allows for a possible fourth and five year suspension of the mandatory purchase for certain communities that are making more than adequate progress in their construction of their flood protection systems; **Pages H4899–H4900**

Walberg amendment (No. 10 printed in H. Rept. 112–138) that places a moratorium on the issuance of any updated rate maps from the date of enactment until the Technical Mapping Advisory Council submits to the FEMA Administrator and Congress the proposed new mapping standards. It allows for the revision, update and change of rate maps only pursuant to a letter of map change, which includes a letter of map amendment, letter of map revision, and letter of map revision based on fill; **Page H4903**

McGovern amendment (No. 13 printed in H. Rept. 112–138) that allows communities to be reimbursed for certain costs associated with a successful challenge to a bona fide mapping error made by FEMA resulting in a Letter of Map Revision; **Pages H4904–05**

Brady (TX) amendment (No. 14 printed in H. Rept. 112–138) that requires the FEMA Administrator to provide to a property owner newly included in a revised or updated proposed flood map a copy of the proposed flood insurance map and information regarding the appeals process at the time the proposed map is issued; **Page H4905**

Sherman amendment (No. 16 printed in H. Rept. 112–138) that requires FEMA to reduce the number of flood insurance policies that are directly managed by the Agency to not more than 10% of the total number of flood insurance policies in force. Further authorizes FEMA to refuse to accept future transfers of policies to the NFIP Direct program; **Pages H4905–09**

Loebsack amendment (No. 17 printed in H. Rept. 112–138) that requires FEMA to notify a prominent local television and radio station of projected and proposed changes to flood maps and to grant an additional 90 days for property owners or a community to appeal proposed flood maps, beyond the original 90-day appeal period, so long as community leaders certify they believe there are property owners unaware of the proposed flood maps and appeal period, and community leaders would use the additional 90-day appeal period to educate property owners on the proposed maps and appeal process; **Pages H4909–10**

Cardoza amendment (No. 11 printed in H. Rept. 112–138) that eliminates requirements to more broadly map areas considered to be residual risk (by a recorded vote of 261 ayes to 163 noes, Roll No. 556); and **Pages H4903–04, H4918**

Westmoreland amendment (No. 19 printed in H. Rept. 112–138) that adds a reserve fund requirement to the National Flood Insurance Program (by a recorded vote of 241 ayes to 183 noes, Roll No. 557). **Pages H4910–11, H4918–19**

Rejected:

Ros-Lehtinen amendment (No. 5 printed in H. Rept. 112–138) that sought to strike the part of Section 5 "Reforms of Premium Rates" that would increase annual limit on premium rates increases from 10% to 20%. This would prevent a 100% increase in possible premium hikes; **Pages H4902–03**

Speier amendment (No. 3 printed in H. Rept. 112–138) that sought to make it a violation for a lender, whose only interest in the property is the amount of the outstanding mortgage indebtedness, to require a homeowner to purchase more than the legally required amount of flood insurance—an amount equal to the outstanding principal balance of the loan (by a recorded vote of 195 ayes to 230 noes, Roll No. 554); **Pages H4900, H4916–17**

Flake amendment (No. 4 printed in H. Rept. 112–138) that sought to strike additional coverage provided in H.R. 1309 for business interruption and cost of living expenses (by a recorded vote of 118 ayes to 305 noes, Roll No. 555); **Pages H4900–02, H4917–18**

Miller (MI) amendment (No. 20 printed in H. Rept. 112–138) that sought to terminate current spending on TV and radio commercials being aired to promote the NFIP in all 50 states and directs remaining funds to pay down NFIP's debt. Would have continued FEMA's mailing programs that are used to notify current policy holders of changes to their policies and maps as well as other educational publications they produce (by a recorded vote of 186 ayes to 238 noes, Roll No. 558); **Pages H4911–12, H4919–20**

Scott (VA) amendment (No. 23 printed in H. Rept. 112–138) that sought to direct the GAO to conduct a study of the means and effects of facilitating a market for all-peril insurance policies for residential properties (by a recorded vote of 192 ayes to 230 noes, Roll No. 559); and **Pages H4912–14, H4920**

Miller (MI) amendment (No. 25 printed in H. Rept. 112–138) that sought to terminate NFIP by January 1, 2012, and allow States to form interstate compacts to provide insurance (by a recorded vote of 38 ayes to 384 noes, Roll No. 560). **Pages H4914–16, H4920–21**

H. Res. 340, the rule providing for consideration of the bill, was agreed to on Friday, July 8th.

**Suspension—Failed:** The House failed to agree to suspend the rules and pass the following measure which was debated yesterday, July 11th:

***Better Use of Light Bulbs Act:*** H.R. 2417, to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, by a ⅔ yea-and-nay vote of 233 yeas to 193 nays with 1 voting "present", Roll No. 563. **Page H4926**

**Quorum Calls—Votes:** One yea-and-nay vote and twenty-four recorded votes developed during the proceedings of today and appear on pages H4878, H4878–79, H4879, H4879–80, H4880–81, H4881, H4881–82, H4882–83, H4883, H4883–84, H4884–85, H4885, H4885–86, H4886–87, H4887, H4916–17, H4917–18, H4918, H4918–19, H4919–20, H4920, H4920–21, H2924–25, H4925–26, H4926. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 9:20 p.m.

# *Committee Meetings*

## MISCELLANEOUS MEASURES

*Committee on Appropriations:* Full Committee held a markup of the Interior, Environment, and Related Agencies Appropriations Bill, FY 2012. The Bill was ordered reported, as amended.

## STRATEGIC COMMUNICATION AND INFORMATION OPERATIONS SINCE 9/11

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities held a hearing on the Evolution of Strategic Communication and Information Operations Since 9/11. Testimony was heard from public witnesses.

## HOW DOES THE NAVY GET READY, AND WHERE ARE WE TODAY?

*Committee on Armed Services:* Subcommittee on Readiness held a hearing on How Does the Navy Get Ready, and Where are We Today? Testimony was heard from VADM William Burke, USN, Deputy Chief of Naval Operations, Fleet Readiness and Logistics (N4); and VADM Kevin McCoy, USN, Commander Naval Sea Systems Command.

MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Full Committee continued markup of the following: H.R. 2273, the "Coal Residuals Reuse and Management Act of 2011"; and H.R. 2401, the "Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011." H.R. 2401 was ordered reported as amended. The markup of H.R. 2273 will continue on July 13, 2:30 p.m., 2123 Rayburn.

MISCELLANEOUS MEASURES

*Committee on Financial Services:* Subcommittee on Capital Markets and Government Sponsored Enterprises held a markup of the following: H.R. 2441, the "Housing Trust Fund Elimination Act of 2011"; H.R. 463, the "Fannie Mae and Freddie Mac Transparency Act of 2011"; H.R. 2436, the "Fannie Mae and Freddie Mac Taxpayer Payback Act of 2011"; H.R. 2439, the "Removing GSEs Charters During Receivership Act of 2011"; H.R. 2462, the "Cap the GSE Bailout Act of 2011"; and H.R. 2440, the "Market Transparency and Taxpayer Protection Act of 2011." H.R. 2441; H.R. 2439; H.R. 2462; and H.R. 2440 were forwarded, as amended. H.R. 2463 and H.R. 2436 were forwarded without amendment.

PROTECTING THE MARITIME BORDERS

*Committee on Homeland Security:* Subcommittee on Border and Maritime Security held a hearing entitled "Protecting the Maritime Borders—Leveraging Law Enforcement Cooperation to Enhance Security Along America's Coasts." Testimony was heard from Michael C. Kostelnik, Assistant Commissioner, Office of CBP Air and Marine, Customs and Border Protection, Department of Homeland Security; Rear Admiral Paul F. Zukunft, Assistant Commandant for Marine Safety, Security and Stewardship, United States Coast Guard; Tim Donnellon, Sheriff, St. Clair County Sheriff's Office, Michigan; Adrian Garcia, Sheriff, Harris County Sheriff's Office, Texas.

AUTHORIZING THE TRANSPORTATION SECURITY ADMINISTRATION

*Committee on Homeland Security:* Subcommittee on Transportation Security held a hearing entitled "Industry Perspectives: Authorizing the Transportation Security Administration for FY 2012 and 2013." Testimony was heard from Wanda Dunham, Chief of Police and Emergency Management, Metropolitan Atlanta Rapid Transit Authority, MARTA Police Headquarters; and public witnesses.

LEGISLATIVE MEASURES

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism and Homeland Security held a hearing on H.R. 1981, the "Protecting Children from Internet Pornographers Act of 2011." Testimony was heard from Michael J. Brown, Sheriff, Bedford County Sheriff's Office; and public witnesses.

LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Indian and Alaska Native Affairs held a hearing on the following: H.R. 1291, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, and for other purposes; H.R. 1234, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; and H.R. 1421, to amend the Water Resources Development Act of 1986 to clarify the role of the Cherokee Nation of Oklahoma with regard to the maintenance of the W.D. Mayo Lock and Dam in Oklahoma. Testimony was heard from Donald "Del" Laverdure, Principal Deputy Assistant Secretary for Indian Affairs, Department of the Interior; and public witnesses.

MEDICARE PLAN FROM THE ADMINISTRATION

*Committee on Oversight and Government Reform:* Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled "Fulfilling a Legal Duty: Triggering a Medicare Plan from the Administration." Testimony was heard from Jonathan Blum, Deputy Administrator and Director, Center for Medicare, Centers for Medicare and Medicaid Services; Charles Blahous, III, Public Trustee of Social Security and Medicare; and public witnesses.

CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

*Committee on Rules:* Full Committee held a hearing on H.R. 2018, the "Clean Water Cooperative Federalism Act of 2011." The Committee granted, by record vote of 8 to 3, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Rep. Gibbs; Rep. Napolitano; Rep. Carnahan; and Rep. Hanabusa.

### NASA'S SPACE LAUNCH SYSTEM

*Committee on Science, Space, and Technology:* Full Committee held a hearing entitled "A Review of NASA's Space Launch System." Testimony was heard from Charles F. Bolden Jr., Administrator, National Aeronautics and Space Administration.

### CHILD DEATHS DUE TO MALTREATMENT

*Committee on Ways and Means:* Subcommittee on Human Resources, hearing on child deaths due to maltreatment. Testimony was heard from Kay E. Brown, Director Education, Workforce, and Income Security, GAO; and public witnesses.

## *Joint Meetings*

### MANUFACTURING IN THE UNITED STATES

*Joint Economic Committee:* Committee concluded a hearing to examine manufacturing in the United States, focusing on training America's workforce, after receiving testimony from Senator DeMint; Representative Lipinski; Ronald D. Painter, National Association of Workforce Investment Boards (NAWB), Diana Furchtgott-Roth, Hudson Institute, and Harry J. Holzer, Georgetown University, all of Washington, D.C.; and Chuck Wetherington, BTE Technologies, Hanover, Maryland, on behalf of the National Association of Manufacturers (NAM).

## COMMITTEE MEETINGS FOR WEDNESDAY, JULY 13, 2011

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services:* Subcommittee on SeaPower, to hold hearings to examine the required force level of strategic airlift aircraft mandated by title 10, United States Code, and the administration's request to eliminate that requirement in review of the Defense Authorization Request and the Future Years Defense Program, 2:30 p.m., SR–232A.

*Committee on Commerce, Science, and Transportation:* To hold hearings to examine unauthorized charges on telephone bills, focusing on why crammers win and consumers lose, 10 a.m., SR–253.

*Committee on Environment and Public Works:* Business meeting to consider S. 538, to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act, S. 899, to provide for the eradication and control of nutria, S. 861, to restore the natural resources, ecosystems, fisheries, marine habitats, and coastal wetland of Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, S. 846, to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse, S. 1302, to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy, S. 1313, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, a proposed resolution in the Corps Study, and a proposed resolution relating to the General Services Administration, 10 a.m., SD–406.

*Committee on Finance:* To hold joint hearings with the House Committee on Ways and Means to examine tax reform and the tax treatment of debt and equity, 9 a.m., HVC–210.

*Committee on Foreign Relations:* To hold hearings to examine the nominations of Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia, William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova, John A. Heffern, of Missouri, to be Ambassador to the Republic of Armenia, Thomas M. Countryman, of Washington, to be Assistant Secretary for International Security and Non-Proliferation, Jeffrey DeLaurentis, of New York, to be Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative for Special Political Affairs in the United Nations, all of the Department of State, 3 p.m., SD–419.

*Committee on Homeland Security and Governmental Affairs:* To hold hearings to examine ten years after 9/11, focusing on preventing terrorist travel, 10 a.m., SD–342.

*Committee on the Judiciary:* To hold hearings to examine the "Violence Against Women Act," focusing on building on seventeen years of accomplishments, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Morgan Christen, of Alaska, to be United States Circuit Judge for the Ninth Circuit, Scott Wesley Skavdahl, to be United States District Judge for the District of Wyoming, Sharon L. Gleason, to be United States District Judge for the District of Alaska, Yvonne Gonzalez Rogers, to be United States District Judge for the Northern District of California, and Richard G. Andrews, to be United States District Judge for the District of Delaware, 2:30 p.m., SD–226.

## House

*Committee on Agriculture,* Subcommittee on Rural Development, Research, Biotechnology, and Foreign Agriculture, hearing on Agricultural Program Audit: Examination of Foreign Agriculture and Food Aid Programs, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* Full Committee, markup of the Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2012, and Legislative Branch Appropriations Bill, FY 2012, 10 a.m., 2359 Rayburn.

*Committee on the Budget,* Full Committee, hearing entitled "Medicare and Social Security: The Fiscal Facts," 10 a.m., 210 Cannon.

*Committee on Education and the Workforce,* Full Committee, markup of the following: H.R. 2465, the "Federal Workers' Compensation Modernization and Improvement Act"; and H.R. 2445, the "State and Local Funding Flexibility Act"; 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Health, hearing is entitled "IPAB: The Controversial Consequences for Medicare and Seniors," 9 a.m., 2123 Rayburn.

Full Committee, continue markup of the following: H.R. 2273, the "Coal Residuals Reuse and Management Act of 2011," 3:30 p.m., 2123 Rayburn.

*Committee on Financial Services,* Full Committee, hearing entitled "Monetary Policy and the State of the Economy," 10 a.m., 2128 Rayburn.

Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled "Mortgage Origination: The Impact of Recent Changes on Homeowners and Businesses," 2 p.m., 2128 Rayburn.

*Committee on Homeland Security,* Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies, hearing entitled "Securing Federal Facilities: Challenges of the Federal Protective Service and the Need For Reform," 10 a.m., 311 Cannon.

*Committee on Natural Resources,* Full Committee, markup of the following: H.R. 1408, the "Southeast Alaska Native Land Entitlement Finalization and Jobs Protection Act"; H.R. 1904, the "Southeast Arizona Land Exchange and Conservation Act of 2011"; H.R. 2011, the "National Strategic and Critical Minerals Policy Act of 2011"; H.R. 2150, the "National Petroleum Reserve Alaska Access Act"; H.R. 2170, the "Cutting Federal Red Tape to Facilitate Renewable Energy Act"; H.R. 2171, the "Exploring for Geothermal Energy on Federal Lands Act"; H.R. 2172, the "Utilizing America's Federal Lands for Wind Energy Act"; and H.R. 2173, the "Advancing Offshore Wind Production Act," 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Subcommittee on National Security, Homeland Defense and Foreign Operations, hearing entitled "TSA Oversight Part 2: Airport Perimeter Security," 9:30 a.m., 2154 Rayburn.

*Committee on Rules,* Full Committee, hearing on H.R. 2434, the "Financial Services and General Government Appropriations Act, 2012," 3 p.m., H–313 Capitol.

*Committee on Science, Space, and Technology,* Subcommittee on Technology and Innovation, markup of legislation regarding the Border Security Technology Innovation Act of 2011, 10 a.m., 2318 Rayburn.

*Committee on Small Business,* Full Committee, markup of the following: H.R. 527, the "Regulatory Flexibility Improvements Act of 2011"; and H.R. 585, the "Small Business Size Standard Flexibility Act of 2011," 1 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Coast Guard and Maritime Transportation, and Subcommittee on Water Resources and Environment, joint hearing entitled "Reducing Regulatory Burdens, Ensuring the Flow of Commerce, and Protecting Jobs: A Common Sense Approach to Ballast Water Regulation," 10 a.m., 2167 Rayburn.

*Next Meeting of the* SENATE

9:30 a.m., Wednesday, July 13

### Senate Chamber

**Program for Wednesday:** Senate will continue consideration of S. 1323, Sense of the Senate Regarding the Budget Deficit, with a vote on the motion to invoke cloture on the bill, at approximately 10:30 a.m. If cloture is not invoked, there will be a second vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 2055, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 13

### House Chamber

**Program for Wednesday:** Consideration of H.R. 2018—Clean Water Cooperative Federalism Act of 2011 (Subject to a Rule).

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